AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Vol.42—No.46
3-9-77

PAGES
13103–13263

federal register

WEDNESDAY, MARCH 9, 1977

highlights

"THE FEDERAL REGISTER—WHAT IT IS AND HOW TO USE IT"

Reservations for April and May are now being accepted for the free weekly workshops on how to use the FEDERAL REGISTER. These sessions begin at 9:00 a.m. and end at approximately 11:30 a.m. and are held in Room 9409, 1100 L Street NW., Washington, D.C.

Each session will cover the following:

1. Brief history of the FEDERAL REGISTER.
2. Difference between legislation and regulations.
3. Relationship of the FEDERAL REGISTER to the Code of Federal Regulations.
4. Elements of a typical FEDERAL REGISTER document.
5. Introduction to the finding aids.

RESERVATIONS REQUIRED: DEAN L. SMITH, 202–523–5282

EDUCATIONAL WORKSHOPS ON HOW TO USE THE FEDERAL REGISTER

OFR announces workshop to be held in Honolulu, Hawaii, 4–6–77 13166

PART I:

TOXIC SUBSTANCES

EPA proposes inventory reporting requirements as prescribed by the Toxic Substances Control Act; comments by 5–9–77 13130

PESTICIDES

EPA announces tolerances and exemptions for sodium chlorate in or on raw agricultural commodities; comments by 4–8–77, effective 3–9–77 13114

TRUTH IN LENDING

FRS publishes official staff interpretations; effective 3–7–77 13103

CONTINUED INSIDE

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/NHTSA	USDA/FNS		DOT/NHTSA	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/OHMO	CSC		DOT/OHMO	CSC
DOT/OPSO	LABOR		DOT/OPSO	LABOR
	HEW/FDA			HEW/FDA

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

federal register

Area Code 202 Phone 523-5240

Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $5.00 per month or $50 per year, payable in advance. The charge for individual copies is 75 cents for each issue, or 75 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

INFORMATION AND ASSISTANCE

Questions and requests for specific information may be directed to the following numbers. General inquiries may be made by dialing **202–523–5240.**

FEDERAL REGISTER, Daily Issue:

Subscriptions and distribution	**202**–783–3238
"Dial - a - Regulation" (recorded summary of highlighted documents appearing in next day's issue).	**202**–523–5022
Scheduling of documents for publication.	523–5220
Copies of documents appearing in the Federal Register.	523–5240
Corrections	523–5286
Public Inspection Desk	523–5215
Finding Aids	523–5227
Public Briefings: "How To Use the Federal Register."	523–5282
Code of Federal Regulations (CFR)	523–5266
Finding Aids	523–5227

PRESIDENTIAL PAPERS:

Executive Orders and Proclamations.	523–5233
Weekly Compilation of Presidential Documents.	523–5235
Public Papers of the Presidents	523–5235
Index	523–5235

PUBLIC LAWS:

Public Law dates and numbers	523–5237
Slip Laws	523–5237
U.S. Statutes at Large	523–5237
Index	523–5237
U.S. Government Manual	523–5230
Automation	523–5240
Special Projects	523–5240

HIGHLIGHTS—Continued

BANK SECURITIES
SEC amends regulations for insured State nonmember banks 13122

BROKER-DEALERS
SEC extends temporary rule on submission of price quotations to inter-dealer quotation system; expiration date 4–30–77 13109

HOUSING PROGRAMS
USDA/FmHA proposes fair housing affirmative marketing requirements; comments by 4–8–77 13116

MORTGAGE INSURANCE
HUD defers effective dates of certain provisions for multifamily, cooperative, low cost and elderly housing; effective 6–4–77 13112

PRIVACY ACT OF 1974
National Commission on Supplies and Shortages revocation and transfer of systems of records 13165
HUD proposes implementation; comments by 4–7–77 13123

GOVERNMENT IN THE SUNSHINE ACT
The following agencies propose or adopt regulations implementing provisions:
Overseas Private Investment Corporation; effective 3–12–77 13110
Federal Home Loan Bank Board; effective 3–12–77 13107

EX PARTE COMMUNICATIONS
NLRB changes terminology and increases scope of prohibition; effective 3–9–77 13113

RECOMBINANT DNA RESEARCH
Commerce/PTO suspends accelerated processing of patent applications for inventions 13147

NATURAL GAS ACT OF 1977
FPC issues emergency orders (4 documents) 13149, 13150, 13154

CRUDE OIL
FEA considers amendments to Alaska North Slope pricing and entitlements treatment and holds hearings for 3–77; comments by 3–21–77 13116

EDUCATIONAL INFORMATION
HEW requests comments by 4–8–77 on collection of information and data acquisition activity 13156

COMMUNITY EDUCATION PROGRAM
HEW/OE announces closing date of 3–8–77 for receipt of application amendments 13158

DISCHARGE REVIEW BOARD
DOD/AF proposes regulations concerning use of case summaries, investigative reports and other relevant data and procedures; comments by 4–7–77 13124

MEETINGS—
Commerce/DIBA: East-West Trade Advisory Committee, 3–30–77 13146
NOAA: Satellite Data Archiving Workshop, 3–15 and 3–16–77 13147
DOD/Air Force: USAF Scientific Advisory Board, 3–30 and 3–31–77 13147
Army: Ballistic Missile Defense Technology Advisory Panel, 3–29 thru 3–31–77 13147
National Board For The Promotion of Rifle Practice Executive Committee, 3–25–77 13148
Electronic Fund Transfer, National Commission, 3–11–77 13165
FCC: National Industry Advisory Committee, Broadcast Services Subcommittee, 3–29–77 13148
FPC: Transmission Distribution and Storage Technical Advisory Task Force—Rate Design, 4–7–77 13153
HEW/ADAMHA: Mental Health and Illness of the Elderly Committee, 4–15 and 4–16–77 13157
HSA: Migrant Health National Advisory Council, 3–16 thru 3–18–77 13158

ITC: Meeting, 3–17–77 13164
NFAH: Expansion Arts Advisory Panel, 3–22 thru 3–25–77 13165
Public Media Advisory Panel, 3–22 and 3–23–77 13165
Special Projects Advisory Panel, 3–25 and 3–26–77 13166
Theatre Advisory Panel, 3–26 thru 3–28–77 13166
NSF: Alan T. Waterman Award Committee, 3–29–77 13166
Long-Term Ecological Measurements meeting, 3–16 thru 3–18–77 13166
National Study Commission on Records and Documents of Federal Officials: Meeting, 3–24–77 13179
Renegotiation Board, 3–15–77 13167
SBA: Nashville District Advisory Council, 4–20–77 13179

CANCELLED MEETINGS—
HEW/HRA: Task Force on Cost-Sharing of the Cooperative Health Statistics Advisory Committee, 3–10 and 3–11–77 13158

PART II:

GOVERNMENT IN THE SUNSHINE
FEC adopts provisions for implementation of the Act; effective 3–13–77 13201

PART III:

COMMUNITY DEVELOPMENT
HUD amends regulations on environmental review procedures, publishes interim regulations on applications and criteria for discretionary grants and amends policies and procedures for protection of environment (3 documents); effective 3–8–77 ..... 13206, 13208

PART IV:

FISHERY CONSERVATION
State Department publishes lists of applications for permits to fish off U.S. coasts (2 documents) 13210, 13245

PART V:

ORGANIZATION AND ADMINISTRATION
HEW orders changes and delegations of authority (3 documents) 13262, 13263

contents

AGRICULTURAL MARKETING SERVICE
Rules
Milk marketing orders:
Chicago 13103

AGRICULTURE DEPARTMENT
See Agricultural Marketing Service; Farmers Home Administration.

AIR FORCE DEPARTMENT
Proposed Rules
Discharge Review Board 13124
Notices
Meetings:
Scientific Advisory Board 13147

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION
Notices
Meetings:
Advisory Committees; April 13157

ARMY DEPARTMENT
Notices
Meetings:
Ballistic Missile Defense Technology Advisory Panel 13147
Promotion of Rifle Practice, National Board 13148

ARTS AND HUMANITIES, NATIONAL FOUNDATION
Notices
Meetings:
Expansion Arts Advisory Panel 13165
Public Medial Advisory Panel 13165
Special Projects Advisory Panel 13166
Theatre Advisory Panel 13166

CENSUS BUREAU
Notices
Population censuses, special; reports available 13145

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
American Airlines, Inc 13142
Eastern Airlines, Inc., et al 13143
North Central Airlines, Inc 13145
Texas International Airlines, Inc 13145

COMMERCE DEPARTMENT
See Census Bureau; Domestic and International Business Administration; Maritime Administration; National Oceanic and Atmospheric Administration; Patent and Trademark Office.

COMMODITY FUTURES TRADING COMMISSION
Proposed Rules
Commodity pool operators; correction 13121

COMMUNITY PLANNING AND DEVELOPMENT, OFFICE OF ASSISTANT SECRETARY
Rules
Community development block grants:
Discretionary grants; applications and criteria 13206

DEFENSE DEPARTMENT
See Air Force Department; Army Department.

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION
Notices
Meeting:
East-West Trade Advisory Committee 13146

EDUCATION OFFICE
Notices
Applications and proposals, closing dates:
Community Education Program 13158
Organization, functions, and authority delegations:
Deputy Commissioner, Student Financial Assistance Bureau 13263
Student Financial Assistance Bureau 13263

ELECTRONIC FUND TRANSFERS, NATIONAL COMMISSION
Notices
Meeting 13165

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION
Notices
Appearance of ERDA, certification; Dr. Glenn W. Kuswa 13145

ENVIRONMENTAL PROTECTION AGENCY
Rules
Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
Sodium chlorate 13114
Proposed Rules
Air quality implementation plans; various States, etc.:
Massachusetts 13128

Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
Dinoseb ... 13129
Toxic substances:
Inventory reporting and general provisions ... 13130

Notices
Water pollution control; discharge of pollutants:
Minnesota and Wisconsin; extension of comment period ... 13148

FARMERS HOME ADMINISTRATION
Proposed Rules
Program-related instructions:
Civil Rights compliance requirements ... 13116

FEDERAL COMMUNICATIONS COMMISSION
Rules
FM broadcast stations; table of assignments:
Louisiana ... 13115

Proposed Rules
FM broadcast stations; table of assignments:
New York ... 13140
Telephone companies:
Tariffs, interface of International Telex Service with Domestic Telex and TWX Services; extension of time ... 13139

Notices
Meeting:
National Industry Advisory Committee, Broadcast Services Subcommittee ... 13148

FEDERAL DEPOSIT INSURANCE CORPORATION
Rules
Securities of insured State nonmember banks:
Financial statements; Form F-4 ... 13104

FEDERAL ELECTION COMMISSION
Rules
Sunshine Act; implementation ... 13201

FEDERAL ENERGY ADMINISTRATION
Proposed Rules
Petroleum allocation and price regulations, mandatory:
Alaska north slope crude oil pricing and entitlements treatment ... 13116

Notices
National Environmental Policy Act:
Environmental Review Documents, quarterly update of; availability ... 13148

FEDERAL HOME LOAN BANK BOARD
Rules
Sunshine Act; implementation ... 13107

FEDERAL HOUSING COMMISSIONER—OFFICE OF ASSISTANT SECRETARY FOR HOUSING
Rules
Mortgage and loan insurance programs:
Mortgage proceeds disbursement; effective date deferred ... 13112

FEDERAL MARITIME COMMISSION
Rules
Sunshine Act; implementation; correction ... 13115

Notices
Agreement filed, etc.:
Prudential Lines, Inc. and Compania Peruana de Vapores ... 13149

FEDERAL POWER COMMISSION
Rules
Emergency Natural Gas Act, order no. 1-A; National Association of Regulatory Utility Commissioners added to list of persons consulted ... 13110

Notices
Emergency Natural Gas Act of 1977; order (4 documents) ... 13149, 13150, 13154
Meetings:
Gas Policy Advisory Council; Transmission Distribution and Storage Technical Advisory Task Force ... 13153
Hearings, etc.:
Bridwell Oil Co., et al ... 13153
Illinois Power Co ... 13151
Martin, Glen A ... 13155
Panhandle Eastern Pipe Line Co ... 13152
Pierce, Charles R ... 13149

FEDERAL REGISTER OFFICE
Notices
Educational workshops on how to use the FEDERAL REGISTER; Honolulu, Ha ... 13166

FEDERAL RESERVE SYSTEM
Rules
Truth-in-lending:
Official staff interpretations ... 13103

Notices
Applications, etc.:
First Bankers Corp. of Florida ... 13155
Page Bank Holding Co ... 13155

FEDERAL TRADE COMMISSION
Rules
Prohibited trade practices:
Mayday Co., Inc., et al; correction ... 13109

Notices
Consent agreement with analysis to aid public comment; correction ... 13148

FISH AND WILDLIFE SERVICE
Rules
Fishing:
Swan Lake National Wildlife Refuge, Mo ... 13115

GENERAL SERVICES ADMINISTRATION
See Federal Register Office.

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See also Alcohol, Drug Abuse, and Mental Health Administration; Education Office; Health Resources Administration; Health Services Administration.

Notices
Information collection and data acquisition activity, description; inquiry ... 13156
Organization, functions and authority delegations:
Health Care Financing Administration, et al ... 13262

HEALTH RESOURCES ADMINISTRATION
Notices
Meetings:
Cooperative Health Statistics Advisory Committee, Task Force on Cost-Sharing; cancellation ... 13158

HEALTH SERVICES ADMINISTRATION
Notices
Meetings:
Advisory Committees; May ... 13158

HEARINGS AND APPEALS OFFICE, INTERIOR DEPARTMENT
Notices
Applications, etc.:
Ohio-Atlas Construction Co. (2 documents) ... 13159
Peabody Coal Co. (5 documents) ... 13160-13162
W & W Coal Co ... 13163

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
See also Community Planning and Development, Office of Assistant Secretary; Federal Housing Commissioner—Office of Assistant Secretary for Housing.

Rules
Community development block grants:
Environmental review procedures ... 13206
Paint, lead-based, poisoning prevention; Federal and federally assisted construction of residential structures; correction ... 13112

Proposed Rules
Privacy Act; implementation ... 13123

Notices
Environmental quality; policies, responsibilities and procedures; handbook amendments ... 13208

INDIAN AFFAIRS BUREAU
Proposed Rules
Enrollment:
Grand River Ottawa Indians ... 13123

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Hearings and Appeals Office; Indian Affairs Bureau; Land Management Bureau.

INTERNATIONAL TRADE COMMISSION
Rules
Unfair import trade practices; investigation procedures ... 13110

Notices
Meeting:
Government in Sunshine ... 13164

INTERSTATE COMMERCE COMMISSION
Notices
Hearing assignments ... 13179

Shipment of grain and/or seeds from origins in Illinois and Iowa on Burlington Northern, Inc., to East St. Louis, Ill.; declaratory order petition 13180

LAND MANAGEMENT BUREAU

Notices

Applications, etc.:
New Mexico (3 documents) 13163, 13164
Utah 13164
Opening of public lands:
New Mexico 13163
Withdrawal and reservation of lands, proposed, etc.:
Colorado; partial termination; correction 13163
Nevada 13164

MANAGEMENT AND BUDGET OFFICE

Notices

Clearance of reports; list of requests (2 documents) 13146

MARITIME ADMINISTRATION

Notices

Applications, etc.:
Lykes Bros. Steamship Co., Inc. 13146
Waterman Steamship Corp. 13146

NATIONAL LABOR RELATIONS BOARD

Rules

Sunshine Act; implementation 13113

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Notices

Marine mammal permit applications, etc.:
American Tunaboat Association 13147
Meetings:
Satellite Data Archiving Workshop 13147

NATIONAL SCIENCE FOUNDATION

Notices

Meetings:
Alan T. Waterman Award Committee 13166
Long-Term Ecological Measurements 13166

OVERSEAS PRIVATE INVESTMENT CORPORATION

Rules

Sunshine Act; implementation 13110

PATENT AND TRADEMARK OFFICE

Notices

Recombinant DNA inventions; application processing; suspension 13147

RECORDS AND DOCUMENTS OF FEDERAL OFFICIALS, NATIONAL STUDY COMMISSION

Notices

Meetings 13179

RENEGOTIATION BOARD

Notices

Meeting 13167

SECURITIES AND EXCHANGE COMMISSION

Rules

Securities Exchange Act:
Inter-dealer quotation systems; submission of price quotations 13109

Proposed Rules

Securities Exchange Act financial statements:
Life insurance companies and related holding companies; financial data; increased disclosure 13122

Notices

Self-regulatory organizations; proposed rule changes:
Chicago Board Options Exchange, Inc. 13173
National Securities Clearing Corp. (2 documents) 13172, 13174
New York Stock Exchange, Inc. 13176
Pacific Stock Exchange Inc. (3 documents) 13177, 13178
Hearings, etc.:
Central & South West Corp. 13168
Equity Exchange Fund 13168
Fund for Federal Securities, Inc 13169
Indiana & Michigan Power Co. 13169
Lutheran Brotherhood Fund, Inc., et al. 13170
Middle South Utilities, Inc. 13172
Municipal Securities Rulemaking Board 13172
Southern Co. 13173
Western Geothermal & Power Corp 13173

SMALL BUSINESS ADMINISTRATION

Notices

Applications, etc.:
LICO MESBIC Investment Co. 13179
Disaster areas:
Arkansas 13179
Meetings, advisory councils:
Nashville District 13179

STATE DEPARTMENT

Notices

Fishing permits, applications:
Germany, Federal Republic, France, Ireland, and Italy 13245
Spain 13210

SUPPLIES AND SHORTAGES NATIONAL COMMISSION

Notices

Privacy Act; systems of records; revocation and transfer 13165

TRADE NEGOTIATIONS, OFFICE OF SPECIAL REPRESENTATIVE

Notices

Complaint; George F. Fisher, Inc.; correction 13148

list of cfr parts affected in this issue

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month.

A Cumulative List of CFR Sections Affected is published separately at the end of each month. The guide lists the parts and sections affected by documents published since the revision date of each title.

7 CFR

1030 13103

PROPOSED RULES:

1901 13116

10 CFR

PROPOSED RULES:

211 13116
212 13116

11 CFR

2 13202
3 13202

12 CFR

226 13103
335 13104
505b 13107

16 CFR

13 13109

17 CFR

240 13109

PROPOSED RULES:

4 13121
210 13122
240 13122

18 CFR

295 13110

19 CFR

210 13110

22 CFR

708 13110

24 CFR

35 13112
58 13206
207 13112
213 13112
221 13112
231 13112
570 13206

PROPOSED RULES:

16 13123

25 CFR

PROPOSED RULES:

43n 13123

29 CFR

102 13113

32 CFR

PROPOSED RULES:

865 13124

40 CFR

180 13114

PROPOSED RULES:

52 13128
180 13129
700 13130
710 13130

46 CFR

503 13115

47 CFR

73 13115

PROPOSED RULES:

61 13139
73 13140

50 CFR

33 13115

CUMULATIVE LIST OF PARTS AFFECTED DURING MARCH

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during March.

1 CFR

Checklist 11807

3 CFR

PROCLAMATIONS:

4489 11805

5 CFR

295 13009
713 11807

7 CFR

68 12033
102 12143
225 11811
622 12035
907 ..... 12144, 13011
910 ..... 12036, 12411, 13012
959 12411
1002 11822
1030 13103
1901 12145
1980 ..... 12036, 12145

PROPOSED RULES:

29 12881
52 12058
908 12888
932 12063
1011 12184
1071 13024
1073 13024
1097 13024
1102 13024
1104 13024
1106 13024
1108 13024
1120 13024
1126 13024
1132 13024
1138 13024
1701 ..... 13024, 13025
1804 11841
1901 13116

8 CFR

245 12412

9 CFR

78 12413
82 ..... 11824, 13012
112 11824
312 11825
322 11825
331 ..... 12177, 12415, 13013
381 ..... 12177, 12415, 12416, 13013

PROPOSED RULES:

325 12435

10 CFR

9 12875
212 13013
604 12161

FEA RULINGS:

1977-4 12161

PROPOSED RULES:

35 12185
51 12186
211 ..... 11842, 12187, 13116
212 ..... 12066, 13116

11 CFR

2 13202
3 13202

12 CFR

226 ..... 12851, 13103
335 13104
407 12417
505b 13107
604 12161
720 13015

PROPOSED RULES:

329 12188
614 12189
619 12189

13 CFR

107 12037
306 ..... 12037, 12419
315 12419

PROPOSED RULES:

108 11842
121 12435

14 CFR

36 12360
39 ..... 12163, 12166, 12167
71 12167
73 ..... 11826, 12168
97 12168
221 12420
221a 12169, 13016
241 11826
385 13016
1201 12169

PROPOSED RULES:

39 12190
71 12190
75 12191
221 11843
292 12191
378a 12066

15 CFR

371 12852
376 12852

16 CFR

Ch. I 12171
13 ..... 12038, 12041, 13109

PROPOSED RULES:

1301 12889

17 CFR

1 12375
17 12375
230 12880
239 12349
240 ..... 11829, 12171, 12342, 12422, 13109
249 ..... 11829, 12353, 12422

PROPOSED RULES:

4 13121
210 13122
240 ..... 11844, 12191, 12355, 13122
270 12436

18 CFR

295 ..... 12172, 12423, 13110

18 CFR—Continued

PROPOSED RULES:

2 12072
3 12072
33 12072
34 12072
35 12072
101 12072
104 12072
125 12072
131 12072
141 12072
154 12072
201 12072
204 12072
260 12072

19 CFR

159 13016
210 13110

21 CFR

2 12423
8 12423-12426
9 ..... 12423, 12424, 12426
207 13017
210 12426
225 12426
520 13018
561 12427

PROPOSED RULES:

2 12436
561 11850
606 12441
640 12441
808 12442
820 11998
1020 12441
1309 12889

22 CFR

708 13110

24 CFR

35 13112
58 13206
207 13112
213 13112
221 13112
231 13112
570 13206
880 12980
881 12981
883 12982
1914 12382

PROPOSED RULES:

16 13123

25 CFR

221 11830

PROPOSED RULES:

43n 13123

26 CFR

1 ..... 12178-12180, 13018
7 11833
404 ..... 12042, 12181

PROPOSED RULES:

1 ..... 11845, 12199, 13025

28 CFR

0 ... 12853
2 ... 12043
16 ... 12045
50 ... 11831

29 CFR

15 ... 11832
102 ... 13113
1951 ... 12427
1952 ... 12427
1956 ... 12429

PROPOSED RULES:

215 ... 12442
1910 ... 13025

30 CFR

PROPOSED RULES:

55 ... 12442
56 ... 12442
57 ... 12068, 12442

32 CFR

242a ... 12853
243 ... 13018
251 ... 12045
256 ... 13022
1281 ... 11835
1482 ... 12855

PROPOSED RULES:

865 ... 13124

33 CFR

207 ... 12172

PROPOSED RULES:

110 ... 12202, 12889, 12890
207 ... 12443

36 CFR

800 ... 12858
231 ... 12172

PROPOSED RULES:

231 ... 12890

38 CFR

Ch. I ... 12858

PROPOSED RULES:

13 ... 12202

39 CFR

1 ... 12859
2 ... 12859
3 ... 12860
4 ... 12861
5 ... 12861
6 ... 12862
7 ... 12862
8 ... 12864

PROPOSED RULES:

111 ... 12068, 12069

40 CFR

61 ... 12127
180 ... 13114
205 ... 11835

PROPOSED RULES:

52 ... 13026, 13128
60 ... 12130
61 ... 12122
180 ... 11850, 13129
700 ... 13130
710 ... 13130

41 CFR

101-34 ... 11836
105-61 ... 13022

PROPOSED RULES:

101-25 ... 11848
101-43 ... 12892
101-44 ... 12892
101-45 ... 12892

43 CFR

PROPOSED RULES:

3800 ... 12071, 12895

45 CFR

205 ... 12046
706 ... 12046
1061 ... 12047

PROPOSED RULES:

1115 ... 13027

46 CFR

10 ... 12173
221 ... 11837
294 ... 11837

46 CFR—Continued

308 ... 13023
503 ... 12049, 13115

PROPOSED RULES:

Ch. IV ... 11849

47 CFR

0 ... 12864
1 ... 12173, 12864
61 ... 12173
64 ... 13029
68 ... 12056
73 ... 13115

PROPOSED RULES:

2 ... 12203, 12204
61 ... 13139
73 ... 12896, 13140
97 ... 12204

49 CFR

1 ... 12176
220 ... 12176
258 ... 12434
260 ... 12434
268 ... 11838
571 ... 12869
572 ... 12176
1033 ... 11838, 12056, 12057
1056 ... 11839

PROPOSED RULES:

258 ... 12443
571 ... 12207
575 ... 12208
821 ... 12208
825 ... 12208

50 CFR

33 ... 13115
216 ... 12010, 12874
611 ... 12057, 12176
620 ... 11839
621 ... 12026

PROPOSED RULES:

16 ... 12972
263 ... 11849
274 ... 11849
280 ... 12443

FEDERAL REGISTER PAGES AND DATES—MARCH

Pages	*Date*
11805–12032	Mar. 1
12033–12141	2
12143–12410	3
12411–12850	4
12851–13007	7
13009–13102	8
13103–13263	9

reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

CAB—Advance Booking Charters; foreign-originating charters.... 7134; 2–7–77
Inclusive tour charters; foreign-originating charters..... 7135; 2–7–77
One-stop-inclusive tour charters; foreign-originating charters.... 7136; 2–7–77
Study group charters by direct air carriers and study group charters.. 7135; 2–7–77
Travel group charters; foreign-originating charters..... 7135; 2–7–77
DOT/NHTSA—Exemption for inconsequential defect or noncompliance; petitions by manufacturers..... 7145; 2–7–77

Next Week's Deadlines for Comments On Proposed Rules

AGRICULTURE DEPARTMENT
Agricultural Marketing Service—
Grains; grade designations; comment period extended to 3–18–77. 9391; 2–16–77
[First published at 41 FR 50268, Nov. 15, 1976]
Farmers Home Administration—
Historical and architectural properties; protection; comments by 3–18–77. 9391; 2–16–77

CENTRAL INTELLIGENCE AGENCY
Freedom of information; comments by 3–18–77..... 8385; 2–10–77

CIVIL AERONAUTICS BOARD
Energy policy and conservation; implementation; comments by 3–16–77. 9184; 2–15–77
Uniform system of accounts and reports for certificated air carriers; disclosure standards for lease transactions; comments by 3–14–77.... 8392; 2–10–77

DEFENSE DEPARTMENT
Air Force Department—
Information audiovisual activities; comments by 3–14–77..... 9036; 2–14–77
Navy Department—
Discharge review procedures; comments by 3–15–77.. 8157; 2–9–77

ENVIRONMENTAL PROTECTION AGENCY
Air pollution regulations; approval and promulgation; California; comments by 3–17–77..... 9189; 2–15–77
Nebraska; revision of State implementation plan; comments by 3–14–77. 8672; 2–11–77
Pesticide chemicals; manufacturing point source category; comments by 3–15–77..... 7956; 2–8–77
Pharmaceutical manufacturing point source category; interim final rulemaking establishing effluent limitations and guidelines; comments by 3–15–77..... 5697; 1–31–77
Sewage treatment plants; standards of performance for new stationary sources; comments by 3–15–77. 10019; 2–18–77
[First published at 42 FR 4863, Jan. 26, 1977]
Standards of performance for new stationary sources; comments by 3–14–77..... 2842; 1–13–77
Standards of performance for sewage sludge incinerators; comments by 3–15–77..... 4863; 1–26–77

ENVIRONMENTAL QUALITY COUNCIL
Government in the Sunshine Act; implementation of provisions; comments by 3–14–77..... 8673; 2–11–77

FEDERAL COMMUNICATIONS COMMISSION
FM broadcast stations in Fargo and Mayville, N. Dak.; changes in table of assignments; comments by 3–14–77. 6854; 2–4–77
FM broadcast stations in Chadron, Neb.; change in table of assignment; comments by 3–14–77..... 6855; 2–4–77
Radio frequency devices; UHF television noise receiver figures; comments extended to 3–17–77..... 6854; 2–4–77
[First published at 41 FR 56210, Dec. 27, 1976]

FEDERAL RESERVE SYSTEM
Bank holding companies; presumption of continued control of transferred assets and activities; comments by 3–15–77..... 9679; 2–17–77

FEDERAL TRADE COMMISSION
Fair credit reporting; undesignated information from a spouse's file, permissible purposes for consumer reports on nonapplicant spouses; proposed interpretations; comments by 3–14–77..... 5075; 1–27–77
Trade regulations; rulemaking procedures; comments by 3–15–77.. 2980; 1–14–77

GENERAL SERVICES ADMINISTRATION
Public Buildings Service—
Accommodations for the Physically Handicapped; facilities in buildings leased by U.S.; comments by 3–16–77..... 9038; 2–14–77

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
Public Health Service—
Alcohol abuse treatment services; allotments to States; comments by 3–18–77..... 6065; 2–1–77
Social Security Administration—
Medicare standards for hospitals and skilled nursing facilities; life safety code; comments by 3–14–77. 4966; 1–26–77
Office of the Secretary—
Museum Service Act; solicitation of relevant issues to be considered prior to proposing regulations for implementation; comments by 3–15–77..... 5110; 1–27–77
Protection of human subjects of biomedical and behavioral research; comments by 3–15–77..... 3076; 1–14–77
Protection of human subjects; fetuses, pregnant women, and in vitro fertilization; comments by 3–14–77. 2792; 1–13–77

INTERIOR DEPARTMENT
Land Management Bureau—
Visitor use of other than developed recreational sites; comments by 3–14–77..... 5294; 1–27–77
Mining Enforcement and Safety Administration—
Health and safety standards, metal and nonmetallic open pit mines; comments by 3–14–77..... 5546; 1–28–77
National Park Service—
Scientific, prehistoric, historic and archeological data, recovery; methods, standards, and reporting requirements; comments by 3–14–77. 5374; 1–28–77

JUSTICE DEPARTMENT
Drug Enforcement Administration—
Papaver Bracteatum, production and control; comments by 3–17–77. 5370; 1–28–77
[First published at 41 FR 55558, Dec. 21, 1976]

LABOR DEPARTMENT
Occupational Safety and Health Administration—
Lead; standard for exposure; comments by 3–15–77..... 9190; 2–15–77
Office of the Secretary—
Summer program for economically disadvantaged youth; comments by 3–14–77..... 8806; 2–11–77
Worker adjustment assistance; certification of eligibility to apply; comments by 3–16–77.. 9190; 2–15–77

NATIONAL CREDIT UNION ADMINISTRATION
Organization and operations of Federal credit unions; use of blanket bonds; comments by 3–18–77..... 11016; 2–25–77
Share certificates; comments by 3–15–77..... 55199; 12–17–76

NATIONAL SCIENCE FOUNDATION
Grant Policy Manual; implementation of OMB Circular A–110; comments by 3–15–77..... 5807; 1–31–77

NUCLEAR REGULATORY COMMISSION
Nuclear power plants; international Atomic Energy Agency draft safety guide; comments by 3–15–77. 5767; 1–31–77

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
Government in the Sunshine Act; comments by 3–14–77.... 8680; 2–11–77

SECURITIES AND EXCHANGE COMMISSION

Exemption of securities underlying certain options; comments by 3–18–77. 9030; 2–14–77

Registered management companies; use of depository systems; comments by 3–15–77..... 8666; 2–11–77

SMALL BUSINESS ADMINISTRATION

Handicapped assistance loans and business loans; increase of borrower's ceiling; comments by 3–17–77. 9183; 2–15–77

Refuse collection with or without disposal; comments extended to 3–15–77..... 2505; 1–12–77 [First published at 41 FR 50274, Nov. 15, 1976]

Small business size standards; definition of terms; comments by 3–17–77. 9184; 2–15–77

Surety bond guarantees; processing fees; comments by 3–18–77.... 9397; 2–16–77

TRANSPORTATION DEPARTMENT

Coast Guard—

Prince William Sound, Alaska; demarcation lines; comments by 3–17–77..... 5705; 1–31–77

Federal Aviation Administration—

Airport and Airway Development Act Amendments of 1976: Civil Rights; comments by 3–14–77..... 2850; 1–13–77

Airworthiness directive; Hartzell Compact Series Propellers; comments by 3–19–77..... 11249; 2–28–77

Airworthiness directives for Lockheed Aircraft Corporation; comments by 3–17–77..... 9680; 2–17–77

Airworthiness directives for McDonnell Douglas airplanes; (2 documents); comments by 3–17–77.... 9681–2; 2–17–77

Alteration of control zone and establishment of transition area; Colo.; comments by 3–16–77..... 9029; 2–14–77

Alteration of transition area; New York, N.Y.; comments by 3–16–77. 9029; 2–14–77

Designation of transition area; West Milford, N.J.; comments by 3–16–77..... 9029; 2–14–77

Federal airway, LaBelle to Lakeland, Fla.; comments by 3–14–77.. 8391; 2–10–77

Regulatory Review Program; invitation to submit proposals; comments by 3–15–77..... 3863; 1–21–77

Transition area, Lyndonville, Vt.; comments by 3–14–77..... 8392; 2–10–77

Transition areas, Oxnard and Santa Barbara, Calif.; comments by 3–14–77..... 8390; 2–10–77

VOR Federal airway, Brunswick, Me.; comments by 3–14–77..... 8391; 2–10–77

Federal Highway Administration—

Safer off-system road program; administrative regulations; comments by 3–16–77..... 6839; 2–4–77

Materials Transportation Bureau—

Hazardous materials; transportation controls; comments by 3–14–77. 53825; 12–9–76

Shippers; specification for pressure tank car tankers; extension of comments to 3–14–77.. 2709; 1–13–77 [First published at 41 FR 52324, Nov. 29, 1976]

National Highway Traffic Safety Administration—

Odometer disclosure requirements; form and content of statement executed upon transfer of a motor vehicle; comments by 3–15–77. 9045; 2–14–77

Speedometers and odometers; motor vehicle safety standard; comments by 3–14–77..... 54204; 12–13–76

Office of the Secretary—

Procurement of government property; comments by 3–14–77..... 5324; 1–27–77

TREASURY DEPARTMENT

Alcohol, Tobacco and Firearms Bureau—

Distilled spirits from Puerto Rico and the Virgin Islands; elimination of requirement of marking serial number of approved formula on container; comments by 3–14–77. 5104; 1–27–77

Internal Revenue Service—

Group-term life insurance purchased for employees, restrictions concerning combination sales; comments by 3–14–77..... 5371; 1–28–77

Next Week's Meetings

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Ratemaking and Economic Regulation Committee, Washington, D.C. (open with restrictions), 3–17–77.... 11028; 2–25–77

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

Shippers Advisory Committee, Lakeland, Fla. (open), 3–15–77. 11253; 2–28–77

Forest Service—

Montezuma Section of San Juan National Forest Grazing Advisory Board, Cortez, Colo. (open), 3–15–77..... 8394; 2–10–77

Oregon Dunes National Recreation Area Advisory Council, Reedsport, Oreg. (open); 3–18–77..... 5389; 1–28–77

San Juan National Forest Grazing Advisory Board, Durango, Colo. (open), 3–14–77.... 8394; 2–10–77

Uinta National Forest Grazing Advisory Board, Provo, Utah (open), 3–17–77..... 8168; 2–9–77

ARTS AND HUMANITIES, NATIONAL FOUNDATION

Dance Advisory Panel, Washington, D.C. (closed), 3–13 thru 3–16–77. 11290; 2–28–77

Research Grants Panel Advisory Committee, Washington, D.C. (closed), 3–14 and 3–18–77 (2 documents).. 10908; 2–24–77

CIVIL RIGHTS COMMISSION

Arizona Advisory Committee, Flagstaff, Ariz. (open), 3–17–77..... 12230; 3–3–77

Arizona Advisory Committee, Phoenix, Ariz. (open), (2 documents), 3–16–77. 10023; 2–18–77; 11255; 2–28–77

California Advisory Committee, Los Angeles, Calif. (open), 3–15–77. 11255; 2–28–77

Colorado Advisory Committee, Denver, Colo. (open), 3–19–77..... 11255; 2–28–77

Maine Advisory Committee, Auburn, Maine (open), 3–17–77..... 7976; 2–8–77

Nebraska Advisory Committee, Omaha, Nebr. (open), 3–14–77..... 11256; 2–28–77

West Virginia Advisory Committee, Charleston, W. Va. (open), 3–17–77. 11257; 2–28–77

COMMERCE DEPARTMENT

Domestic and International Business Administration—

Computer Systems Technical Advisory Committee, Hardware Subcommittee; Washington, D.C. (partially open), 3–16–77.... 11856; 3–1–77

Computer Systems Technical Advisory Committee, Technology Transfer Subcommittee; Washington, D.C. (partially open), 3–16–77.. 11857; 3–1–77

Exporters' Textile Advisory Committee, Washington, D.C. (open with restrictions), 3–15–77..... 8401; 2–10–77

Licensing Procedures Subcommittee of the Computer Systems Technical Advisory Committee, Washington, D.C. (open), 3–15–77..... 11032; 2–25–77

National Oceanic and Atmospheric Administration—

Caribbean Fishery Management Council, St. Thomas, V.I. (open with restrictions), 3–14 thru 3–17–77. 10331; 2–22–77

Caribbean Fishery Management Council's Scientific and Statistical Committee and Advisory Panel, St. Thomas, Virgin Islands (open with limitations), 3–14 thru 3–17–77. 10707; 2–23–77

Pacific Fishery Management Council and Scientific and Statistical Committee and Salmon Advisory Panel, Seattle, Wash. (open with restrictions), 3–16 and 3–17–77. 10331; 2–22–77

DEFENSE DEPARTMENT
Air Force Department—
Air University Board of Visitors, Maxwell Air Force Base, Ala. (closed), 3–15–77..... 5746; 1–31–77
Military Airlift Committee, Scott AFB, Ill. (open), 3–15–77..... 8690; 2–11–77
USAF Scientific Advisory Board, Norton Air Force Base, Calif. (closed), 3–14 thru 3–16–77..... 10885; 2–24–77
Army Department—
Shoreline Erosion Advisory Panel, Stuart-Hutchinson Island, Jensen Beach, Fla. (open), 3–14 and 3–15–77..... 10030; 2–18–77
Navy Department—
Chief of Naval Operations Executive Panel Advisory Committee, Technology Subpanel, Pentagon (closed), 3–15 thru 3–16–77. 11257; 2–28–77
Office of the Secretary—
Defense Science Board Task Force, Washington, D.C. (closed), 3–14–77..... 11037; 2–25–77
Defense Science Board Task Force on Intelligence, Washington, D.C. (closed), 3–18–77..... 10886; 2–24–77
Wage Committee, Washington, D.C. (closed), 3–15–77.. 3014; 1–14–77

EDUCATION OF DISADVANTAGED CHILDREN, NATIONAL ADVISORY COUNCIL
Meeting, Washington, D.C. (open), 3–18–77..... 8430; 2–10–77
[First published at 42 FR 2386, Jan. 11, 1977]

ENVIRONMENTAL PROTECTION AGENCY
Science Advisory Board, Ecology Advisory Committee; Washington, D.C. (open), 3–17 thru 3–18–77.. 11864; 3–1–77
Science Advisory Board, Environmental Measurements Advisory Committee; Arlington, Va. (open), 3–16–77. 11867; 3–1–77
Solid waste program management discussions, Seattle, Washington (open), 3–17 and 3–18–77..... 6620; 2–3–77
Toxic Substances Control Act; discussion of Act and review of implementation plans, San Francisco, Calif., 3–15–77, and Seattle, Wash., 3–17–77. 5756; 1–31–77

FEDERAL COMMUNICATIONS COMMISSION
Conference on Federal-State/Local Cable Television Relations, Washington, D.C. (open), 3–16–77.... 11257; 2–28–77
Radio Technical Commission for Marine Services, Washington, D.C. (open with limitations), 3–16 and 3–17–77. 11262; 2–28–77

FEDERAL ENERGY ADMINISTRATION
Gasoline Marketing Advisory Committee, San Francisco, Calif. (open), 3–15–77..... 10333; 2–22–77

FEDERAL POWER COMMISSION
Gas Policy Advisory Council Supply-Technical Advisory Task Force-Nonconventional Natural Gas Resources, Washington, D.C. (open), 3–15–77. 11276; 2–28–77

FEDERAL PREVAILING RATE ADVISORY COMMITTEE
Meeting, Washington, D.C. (closed), 3–17–77..... 10740; 2–23–77

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
Alcohol, Drug Abuse, and Mental Health Administration—
Drug Abuse Prevention Review Committee, Rockville, Md. (open with restrictions), 3–14 thru 3–16–77. 10063; 2–18–77
Experimental Psychology Research Review Committee; Washington, D.C. (partially open), 3–16 thru 3–19–77..... 11887; 3–1–77
Social Problems Research Review Committee; Washington, D.C. (partially open), 3–16 thru 3–18–77. 11887; 3–1–77
Food and Drug Administration—
Advisory committee meetings, San Francisco, Calif. and Rockville, Md. (open), 3–18–77.... 8712; 2–11–77
Subcommittee on Development of Guidelines for Evaluation of Hepatotoxicity of the Gastrointestinal Drugs Advisory Committee, Rockville, Md. (open), 4–18 and 4–19–77..... 12515; 3–4–77
Health Resources Administration—
Health Services Research Study Section, Rockville, Md. (open with restrictions), 3–16 thru 3–18–77. 10069; 2–18–77
National Institutes of Health—
Artificial Kidney-Chronic Uremia Advisory Committee, Bethesda, Md. (open with restrictions), 3–15 and 3–16–77..... 10899; 2–24–77
Biomedical Library Review Committee, Rockville, Md. (open), 3–16 and 3–17–77..... 6412; 2–2–77
Board of Scientific Counselors, Division of Cancer Treatment, Bethesda, Md. (partially open), 3–14 and 3–15–77..... 6412; 2–2–77
Committees Advisory to National Cancer Institute, Bethesda, Md. (partially closed), 3–17 and 3–18–77. 10898; 2–24–77
Educational Research, National Council on; Washington, D.C. (open), 3–17 thru 3–18–77..... 11899; 3–1–77
Infectious Disease Committee, Bethesda, Md. (partially open), 3–17 and 3–18–77..... 6414; 2–2–77
Pulmonary Diseases Advisory Committee, San Francisco, Calif. (open with restrictions), 5–14–77.. 8718; 2–11–77
Recombinant DNA Molecule Program Advisory Committee workshop on revision of guidelines, Bethesda, Md. (open with restrictions), 3–17–77..... 11051; 2–25–77
Study sections for March, various cities (open), 3–13 thru 3–19–77. 6639; 2–3–77
Tobacco Working Group, Bethesda, Md. (open), 3–16–77..... 6413; 2–2–77
Vision Research Program Planning Subcommittee of the National Advisory Eye Council, Bethesda, Md. (open with restrictions), 3–15–77. 10902; 2–24–77
Office of the Secretary—
Welfare Reform Consulting Group, Washington, D.C. (open), 3–18–77. 8007; 2–8–77

HISTORIC PRESERVATION ADVISORY COUNCIL
Meeting, New Orleans, La. (open), 3–17–77..... 11028; 2–25–77

INTERIOR DEPARTMENT
Land Management Bureau—
Surface management; environmental impacts from mining operations, Elko, Nev. (open), 3–18–77. 12071; 3–2–77
National Park Service—
Gulf Islands National Seashore Advisory Commission, Pensacola Beach, Fla. (open), 3–16–77. 9454; 2–16–77
History Areas Committee of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, Washington, D.C. (open with restrictions), 3–14–77. 10072; 2–18–77
Mount Vernon Bike Trail, George Washington Memorial Parkway, Fairfax County, Va.; meeting on relocation, Mount Vernon, Va. (open), 3–16–77.. 9061; 2–14–77

INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA
Transboundary implications of Garrison boundary unit, Portage La Prairie, Manitoba and Grand Forks, N. Dak (open), 3–14 and 3–15–77.... 6012; 2–1–77

JUSTICE DEPARTMENT
Law Enforcement Assistance Administration—
Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice, Washington, D.C. (open), 3–13–77. 10745; 2–23–77

MANAGEMENT AND BUDGET OFFICE
American Statistical Association Advisory Committee on Statistical Policy, Washington, D.C. (open), 3–14 and 3–15–77..... 6940; 2–4–77

MANPOWER POLICY NATIONAL COMMISSION
Manpower program performance, status of current work plans and future plans, Washington, D.C. (open), 3–18–77..... 10079; 2–18–77

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE
Meeting, Alexandria, Va. (partially open), 3–14 and 3–15–77.. 10745; 2–23–77

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES
Visual Arts Advisory Panel; Washington, D.C. (closed), 3–15 thru 3–16–77. 11932; 3–1–77
Visual Arts Advisory Panel; Washington, D.C. (closed), 3–17 thru 3–18–77. 11932; 3–1–77

NATIONAL SCIENCE FOUNDATION
Economics, Advisory Panel for; Washington, D.C. (closed), 3–18 thru 3–19–77..... 11932; 3–1–77
History and Philosophy of Science, Advisory Panel for; Washington, D.C. (closed), 3–18 thru 3–19–77.. 11933; 3–1–77
Law and Social Science Advisory Panel, Chicago, Ill. (closed), 3–18 and 3–19–77..... 12101; 3–2–77
National Science Board, Washington, D.C. (open), 3–17 and 3–18–77. 12504; 3–4–77
Science for Citizens Advisory Committee; Washington, D.C. (partially open), 3–18 thru 3–19–77..... 11933; 3–1–77

NUCLEAR REGULATORY COMMISSION
Advisory Committee on Reactor Safe-Guards Subcommittee on Enrichment Plants, Chicago, Ill. (open), 3–18–77. 12271; 3–3–77
Reactor Safeguards Advisory Committee, Chicago, Ill. (partially closed), 3–18–77..... 12271; 3–3–77

PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS
Regional selection meetings, Chicago, Ill. (closed), 3–17–77..... 10748; 2–23–77
Regional selection meetings, New York, N.Y. (closed), 3–14–77..... 10748; 2–23–77
Regional selection meetings, St. Louis, Mo. (closed), 3–16–77..... 10748; 2–23–77

SECURITIES AND EXCHANGE COMMISSION
National Market Advisory Board, Washington, D.C. (open), 3–14 and 3–15–77..... 5170; 1–27–77

SMALL BUSINESS ADMINISTRATION
Altanta District Advisory Council, Macon, Ga. (open), 3–17 and 3–18–77. 10380; 2–22–77
Honolulu District Advisory Council, Honolulu, Hawaii (open), 3–18–77. 10758; 2–23–77

STATE DEPARTMENT
International Food and Agricultural Development Board, Washington, D.C. (open), 3–14–77..... 8254; 2–9–77
International Radio Consultative Committee, Study Group 6 of the U.S. National Committee, Boulder, Colo. (open with restrictions), 3–15 and 3–16–77..... 10917; 2–24–77
Ocean Affairs Advisory Committee, Washington, D.C. (closed), 3–15 and 3–16–77..... 3944; 1–21–77
Shipping Coordinating Committee, Subcommittee on Safety of Life at Sea, Washington, D.C. (open), 3–16–77. 10917; 2–24–77
Shipping Coordinating Committee, Subcommitete on Safety of Life at Sea, Washington, D.C. (open), 3–17 and 3–18–77..... 9461; 2–16–77
Transnational Enterprises Advisory Committee, Washington, D.C. (open), 3–17–77..... 12110; 3–2–77

TRANSPORTATION DEPARTMENT
Federal Aviation Administration—
Radio Technical Commission for Aeronautics (RTCA), Executive Committee, Washington, D.C. (open), 3–18–77..... 11303; 2–28–77
National Highway Traffic Safety Administration—
National Highway Safety Advisory Committee, Washington, D.C. (open with restrictions), 3–14 thru 3–17–77..... 10918; 2–24–77
Truck and Bus Safety Subcommittees, Washington, D.C. (open with restrictions), 3–17 and 3–18–77. 9739; 2–17–77

Next Week's Public Hearings

AGRICULTURE DEPARTMENT
Forest Service—
Sale and disposal of timber, various cities (open), 3–14 and 3–15–77. 11026; 2–25–77

ENVIRONMENTAL PROTECTION AGENCY
Air quality standards; interpretative ruling, Chicago, Ill. (open), 3–17–77. 3888; 1–21–77

FEDERAL PAPERWORK COMMISSION
Hearings, Sacramento, Calif. (open), 3–17 and 3–18–77..... 12079; 3–2–77

HEALTH EDUCATION, AND WELFARE DEPARTMENT
Social and Rehabilitation Service—
Missouri child support and establishment of paternity program; conformity with Social Security Act, Washington, D.C. (open), 3–15–77. 6006; 2–1–77

INTERIOR DEPARTMENT
Office of the Secretary—
Energy policy and Conservation Act; suggestions for implementation, New Orleans, La. (open), 3–15 and 3–16–77..... 10744; 2–23–77

JUSTICE DEPARTMENT
Drug Enforcement Administration—
Papaver Bracteatum, production and control; 3–15 thru 3–17–77.. 5370; 1–28–77
[First published at 41 FR 55558, Dec. 21, 1976]

LABOR DEPARTMENT
Occupational Safety and Health Administration—
Lead; standard for exposure, Washington, D.C. (open), 3–15–77. 9190; 2–15–77

List of Public Laws

NOTE: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MILK), DEPARTMENT OF AGRICULTURE

[Milk Order No. 30]

PART 1030—MILK IN THE CHICAGO REGIONAL MARKETING AREA

Temporary Revision of Shipping Percentage

This temporary revision is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the provisions of § 1030.7(b)(6) of the order regulating the handling of milk in the Chicago Regional marketing area.

Notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 10853) concerning a proposed decrease in the supply plant shipping percentages for the month of March 1977. Interested persons were afforded an opportunity to file written data, views, and arguments thereon.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that for the month of March 1977 the supply plant shipping percentage of 20 percent set forth in § 1030.7(b)(4) should be decreased to 10 percent and in § 1030.7(b)(7)(iii) the shipping requirement of 10 percent applicable to each plant in a unit of two or more plants should be removed entirely.

Pursuant to the provisions of § 1030.7(b)(6) the supply plant shipping percentages set forth in § 1030.7(b)(4) and § 1030.7(b)(7)(iii) shall be increased or decreased by up to 10 percentage points during the month of August-March, if necessary to obtain needed shipments or to prevent uneconomic shipments.

Cooperative associations representing a majority of producers supplying the Chicago Regional market requested that during March 1977 the supply plant shipping percentages be reduced 10 percentage points. These cooperatives stated that the 20 percent and 10 percent shipping requirements in March would cause uneconomic shipments of milk.

Views that were received from interested parties overwhelmingly supported this position. It was pointed out repeatedly that a reduction in the shipping requirements would eliminate uneconomic, energy-wasting movements of milk made merely for the purpose of qualifying supply plants for pooling.

To fulfill their fluid milk requirements, distributing plants obtain a major portion of their milk supplies from supply plants, since about 80 percent of the market's milk supply is assembled at supply plants. In recent months, however, Class I sales have been significantly below a year ago. For the month of January, for instance, Class I sales were down 20 million pounds compared to the same month a year ago. Moreover, receipts of producer milk on the market increased by 31 million pounds for the month of January compared to the same month of 1976.

This combination of lower Class I sales and higher receipts of producer milk indicates that a significantly lower proportion of supply plant milk will need to be shipped to distributing plants this March than in prior years.

A reduction in the required shipments of supply plant milk during the month of March will allow greater flexibility in obtaining milk from supply plants in the market and may prevent uneconomic movements of milk made merely for purposes of pool plant qualification.

It is concluded that it is necessary to reduce the pool supply plant shipping percentages as specified above for the month of March 1977 to prevent uneconomic shipments.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This temporary revision is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area for the month of March 1977.

(b) This temporary revision does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rule making was given interested parties and they were afforded opportunity to file written data, views, or arguments concerning this temporary revision.

Therefore, good cause exists for making this temporary revision effective for the month of March 1977.

It is therefore ordered, That the aforesaid provisions of the order are hereby revised for March 1977.

(Secs. 1–19, 48 Stat. 31, as amended; (7 U.S.C. 601–674).)

Effective date: March 9, 1977.

NOTE.—Inflation Impact Statement. The United States Department of Agriculture has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A–107.

Signed at Washington, D.C., on March 4, 1977.

WILLARD H. BLANCHARD,
Acting Director.

[FR Doc.77–7016 Filed 3–8–77;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Z; FC–0049]

PART 226—TRUTH IN LENDING

Official Staff Interpretations

In accordance with 12 CFR 226.1(d), the Board is publishing the following official staff interpretations of Regulation Z, issued by a duly authorized official of the Division of Consumer Affairs.

Identifying details have been deleted to the extent required to prevent a clearly unwarranted invasion of personal privacy. The Board maintains and makes available for public inspection and copying a current index providing identifying information for the public subject to certain limitations stated in 12 CFR 261.6.

Official staff interpretations may be reconsidered by the Board upon request of interested parties and in accordance with 12 CFR 226.1(d)(2). Every request for reconsideration should clearly identify the number of the official staff interpretation in question, and should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

This interpretation shall be effective as of March 7, 1977.

[FC–0049]

§ 226.8(n) Information on a closed end periodic statement such as "principal due," "finance charge (interest) due," "reserve due" and "total mortgage payment" may be given as additional information under § 226.6(c). "Finance charge due" should be substituted for "finance charge (interest) due" when this item has more components than just interest.

FEBRUARY 22, 1977.

This is in response to your letter of * * *, requesting an official staff interpretation of § 226.8(n) of Regulation Z with respect to certain practices by your client, a savings bank. Your client sends a periodic statement to customers who have taken out a loan to purchase a dwelling. You propose showing the total payment due, and the breakdown of that total payment as follows:

1. The "Principal Due" (which is the amount of the payment to be applied to reduce the unpaid principal of the loan);

2. The "Interest Due" or "Finance Charge (interest) Due" (to indicate the amount of the payment to be attributed to earned interest unpaid);

3. The "Reserve Due" followed by a column entitled "Current Reserve Due Itemized" (which would show the amount of the payment to be attributed to the customer's reserve for such escrow items as taxes and insurance, each individually itemized);

4. The "Total Mortgage Payment" (which would be the sum of the amounts shown as number 1, 2, and 3).

Section 226.8(n) requires that a periodic statement for an other than open end credit transaction state the annual percentage rate and the date by which or the period, if any, within which payment must be made to avoid delinquency or late payment charges. Consequently, staff views the type of information which you are seeking to give customers as additional information which may be provided in accordance with § 226.6(c) of Regulation Z so long as it does not detract from the required disclosures.

With respect to the specific wording of the disclosures which you present, staff has only one comment to make. Item 2 calls for the disclosure of "Interest Due" or, alternatively, "Finance Charge (Interest) Due." Your letter does not indicate whether the only portion of the total finance charge which is being paid by any single payment is interest. If interest is the only component being paid by any single payment then either of those disclosures would be permissible. If, on the other hand, there is more than one component to the "Finance Charge" element, staff believes that the disclosure you suggest may be misleading since it indicates that only interest is being paid. If this is the case, staff suggests that you could use the term "FINANCE CHARGE DUE." This will more accurately convey the fact that it is finance charge, and not necessarily only interest, which is being paid by this portion of the payment.

This is an official staff interpretation of Regulation Z issued in accordance with § 226.1(d)(3) of the regulation and limited in its application to the facts as outlined above. I note that your client is a creditor subject to the laws of the State of Connecticut and not the Federal law. Since that State has been granted an exemption under the relevant portion of the Truth in Lending Act, I suggest that you contact the office of Mr. Lawrence Connell, Jr., Bank Commissioner of the State of Connecticut, for his views. I trust that this is responsive to your inquiry.

Sincerely,

JERAULD C. KLUCKMAN,
Associate Director.

Board of Governors of the Federal Reserve System, March 2 ,1977.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.77-6995 Filed 3-8-77;8:45 am]

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

[26388]

PART 335—SECURITIES OF INSURED STATE NONMEMBER BANKS

Disclosure of Interim Results in Financial Reports

On June 22, 1976 the Federal Deposit Insurance Corporation ("Corporation") requested public comment on proposed amendments to Part 335 of its regulations respecting securities of insured State nonmember banks (12 CFR Part 335). The proposed amendments were intended to render the Corporation's requirements with respect to disclosure of interim results in financial reports substantially similar to comparable reporting requirements of the Securities and Exchange Commission (the "Commission"), as required by section 12(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(i)) ("1934 Act"). Notice of the proposal was published in the FEDERAL REGISTER (41 FR 25032-25035 (1976)) and all interested parties were invited to submit comments regarding the proposal no later than August 31, 1976.

A. SUMMARY OF COMMENTS AND RESPONSES

The Corporation received several comments objecting to the expanded disclosure required by the proposed amendments. The Corporation has determined, however, that adoption of the proposed amendments, as modified herein, is necessary in order to maintain substantial similarity between the reporting requirements of Part 335 and comparable regulations of the Commission, as required by Section 12(i) of the 1934 Act.

One commentator suggested that the rule requiring disclosure of interim financial data in notes to annual financial statements of certain banks be modified to exempt those banks which are listed only on a single regional exchange or which have assets of less than $1 billion. The Corporation declined to modify its proposal in accordance with that suggestion. The rule conforms with the Commission's regulations, and the Corporation has determined that there exists substantial public interest to require improved interim reporting for banks meeting the criteria adopted by the Commission.

Commentators also objected to the proposed rule on the ground that requiring disclosure of interim financial data in notes to financial statements would impose additional auditing costs on banks filing certified financial statements. It was suggested that the rule be modified to permit affected banks to disclose interim data elsewhere in annual reports than in the notes to financial statements. The Corporation rejected the suggested modification. It believes that the required disclosure of interim data should be included in financial statements.

One commentator objected to the rule requiring that in the first Form F-4 filed after the date of an accounting change, the letter from the bank's accountants, or if none, from management, be filed as an exhibit indicating whether the change is to an alternative principle which in their judgment is preferable under the circumstances. Accounting Principles Board Opinion No. 20 requires that a change in accounting principles be justified on the basis that the change is to a preferable principle. The effect of the proposed rule is merely to require the submission of a letter to that effect on a timely basis.

B. EFFECT OF AMENDMENTS AS ADOPTED

After consideration of all comments received in response to the notice of proposed rulemaking, the Board has determined that the proposed amendments should be adopted with the following three changes:

(1) The proposal has been modified to require the inclusion in quarterly reports of statements of changes in capital accounts, which requirement was inadvertently omitted from the proposed revision of Form F-4. The quarterly report form presently in use contains an abbreviated analysis of capital accounts.

(2) The period in which to file Form F-4 has been extended from 30 to 45 days after the end of the reported quarter.

(3) The proposed rule requiring disclosure of selected interim financial data in notes to annual financial statements has been modified to conform the rule's exemptive provisions to those of the Commission's Rule 3-16(t). As originally adopted, Rule 3-16(t) provided an exemption for registrants which did not meet requirements set by the Board of Governors of the Federal Reserve System for continued inclusion on the list of OTC margin stocks. As certain of those requirements involve determinations by the Board of Governors, the Commission recently amended Rule 3-16(t) by adopting its own objective criteria for exemption in lieu of the similar requirements of the Board. The Corporation's proposal has been modified to reflect that change.

The following is a summary of the amendments, as adopted, to 12 CFR Part 335:

(1) Form F-4 (12 C.F.R. 335.44) is revised to require the quarterly submission of condensed balance sheets and income statements, statements of changes in financial position, statements of changes in capital accounts, and a narrative analysis of results of operations. Condensed balance sheets are to be provided as of the end of the most recent quarter and as of the same date of the preceding year. Income statements are required for the most recent quarter, for the period between the end of last year and the end of the most recent quarter, and for corresponding periods of the preceding year. Summarized statements of changes in financial position and statements of changes in capital accounts are to be furnished on a year-to-date basis for the current and preceding year.

The revised form also requires the signature of the bank's chief financial officer or chief accounting officer and the submission of a letter by the bank's accountants, or if none, from management, justifying any accounting change.

(2) Section 335.7(e)(15)(ix) has been added to provide for disclosure of selected interim financial data in notes to financial statements of certain banks. Affected are banks which meet certain asset size and/or income criteria and whose securities are either listed on a national securities exchange or are quoted on the National Association of Securities Dealers Automated Quotations System and which meet certain other criteria.

(3) Section 335.7(d)(3)(v) has been added to conform the Corporation's rules governing certification by independent accountants to the Commission's Rule 2-02(e) of Regulation S-X relating to an accountant's association with an unaudited note covering interim financial data.

(4) Section 335.4(i) has been amended to extend the period in which to file Form F-4

to 45 days after the end of the reported quarter.

(5) Section 335.51, Item 14(b) and the instructions thereto have been amended for purposes of internal consistency.

Inasmuch as the changes to the proposal of June 22, 1976 are of a minor nature, the Board finds that further public participation in this rulemaking proceeding is unnecessary. Accordingly, pursuant to the authority contained in Section 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78*l*(i)), 12 CFR Part 335 is amended as set forth below.

C. EFFECTIVE DATE

These amendments shall be effective for financial statements filed with the Corporation for periods beginning subsequent to December 20, 1976, but disclosure of comparative data shall not be required for periods beginning prior to that date.

By Order of the Board of Directors, March 3, 1977.

FEDERAL DEPOSIT INSURANCE CORPORATION,
ALAN R. MILLER,
Executive Secretary.

12 CFR Part 335 is amended as follows:

1. Section 335.4(1) is amended by substituting the number "45" for the number "30" each time it appears.

2. Section 335.7 is amended by adding a new (d)(3)(v) and (e)(15)(ix) as follows:

§ 335.7 **Form and content of financial statements.**

* * * * *

(d) * * *

(15) * * *

(v) *Association with unaudited note covering interim financial data.* If the financial statements covered by the accountant's report designated as "unaudited" the note required by § 335.7(e)(15)(ix), it shall be presumed that appropriate professional standards and procedures with respect to the data in the note have been followed by the independent accountant who is associated with the unaudited footnote by virtue of reporting on the financial statements in which it is included.

* * * * *

(e) * * *

(15) * * *

(ix) *Disclosure of selected quarterly financial data in notes to financial statements.* (A) *Exemption.* This subparagraph (15)(ix) shall not apply to any bank that does not meet both of the following two tests:

(*1*) *First test.* The bank (*i*) has securities registered pursuant to section 12(b) of the Securities Exchange Act of 1934, or (*ii*) has securities registered pursuant to section 12(g) of that Act which also (*A*) are quoted on the National Association of Securities Dealers Automated Quotation System, and (*B*) meet the criteria set forth in the following notes:

NOTES

1. Three or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts; or the stock is registered on a securities exchange that is exempted by the Commission from registration as a national securities exchange pursuant to section 5 of the Securities Exchange Act of 1934.

(a) For purposes of this subsection, the insertion of quotations into the National Association of Securities Dealers Automated Quotation System by three or more dealers on at least 10 business days during the six-month period immediately preceding the fiscal year for which the financial statements are required shall satisfy the requirement that three dealers be making a market.

2. There continue to be 800 or more holders of record, as defined in § 335.2(1), of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock.

3. The issuer continues to be a U.S. corporation.

4. There are 300,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock.

5. In addition, the issuer shall meet two of the three following requirements:

(a) The shares described in subsection (d) continue to have a market value of at least $2.5 million.

(b) The minimum representative bid price of such stock is at least $5 per share.

(c) The issuer continues to have at least $2.5 million of capital, surplus, and undivided profits.

INSTRUCTIONS

1. The computation required by 5(a) and 5(b) shall be based on the average of the closing representative bid prices as reported by NASDAQ for the 20 business days immediately preceding the fiscal year for which the financial statements are required.

2. The computation required by 5(c) shall be as at the last business day of the fiscal year immediately preceding the fiscal year for which the financial statements are required.

(*2*) *Second test.* The bank and its consolidated subsidiaries either (*i*) have had a net income after taxes but before extraordinary items and the cumulative effect of a change in accounting, of at least $250,000 for each of the last three fiscal years; or (*ii*) had total assets of at least $200,000,000 for the last fiscal year-end.

(B) *Disclosure requirement.* (*1*) Disclosure shall be made in a note to financial statements of (*i*) total operating income, (*ii*) total operating expenses, (*iii*) income before securities gains (losses), (*iv*) income before extraordinary items, and (*v*) net income for each full quarter within the two most recent fiscal years and any subsequent interim period for which income statements are presented. In addition, provide per share data for items (*iii*), (*iv*) and (*v*).

(*2*) When the data supplied in (*1*) above vary from the amounts previously reported on the Form F-4 filed for any quarter, such as would be the case when a pooling of interests occurs or where an error is corrected, reconcile the amounts given with those previously reported describing the reason for the difference.

(*3*) Describe the effect of any disposals of segments of a business, and extraordinary, unusual or infrequently occurring items recognized in each full quarter within the two most recent fiscal years and any subsequent interim period for which income statements are presented, as well as the aggregate effect and the nature of year-end or other adjustments which are material to the results of that quarter.

(*4*) Where this note is part of financial statements which are presented as audited, it may be designated "unaudited."

3. Section 335.44, Form F-4, is deleted in its entirety, including the instructions thereto, and a new § 335.44 is sustituted as follows:

§ 335.44 **Form for quarterly report of bank (Form F-4) to be filed pursuant to § 335.4(i).**

FORM F-4

Quarterly Report Under Section 13 of the Securities Exchange Act of 1934 For Quarter Ended _____
FDIC Insurance Certificate Number _____
_____
(Exact name of bank as specified in its charter)
_____
(State or other jurisdiction of incorporation or organization)
_____
(I.R.S. Employer Identification No.)
_____
(Address of principal executive offices)
_____
(Zip Code)
Bank's telephone number, including area code _____
_____
(Former name, former address and former fiscal year, if changed since last report)

Indicate by check mark whether the bank (1) has filed all reports required to be filed by section 13 of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the bank was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days.

Yes_____ No_____

A. *Rule as to Use of Form F-4.*

(a) Form F-4 shall be used for quarterly reports under section 13 of the Securities Exchange Act of 1934, filed pursuant to § 335.4(i).

(b) A report on this form shall be filed within 30 days after the end of each of the first three fiscal quarters of each fiscal year. No report need be filed for the fourth quarter of any fiscal year.

B. *Application of General Rules and Regulations.* Particular attention is directed to §335.4(t) which contains general requirements regarding matters such as the kind and size of paper to be used, the printing and the language; § 335.4(x) regarding the information to be given whenever the title of securities is required to be stated; and § 335.3(a) regarding the filing of the report. The definitions contained in § 335.2 should be especially noted.

C. *Preparation of Report.*

(a) This is not a blank form to be filled in. It is a guide to be used in preparing the report in accordance with § 335.4(i). The Corporation does not furnish blank copies of this form to be filled in for filing.

(b) These general instructions are not to be filed with the report. The instructions to the various captions of the form are also to be omitted from the report as filed.

D. *Persons for Whom the Information is to be Given.*

(a) The required information is to be given as to the registrant bank or, if the bank filed consolidated financial statements with the annual reports filed with the Corporation, it shall cover the bank and its consolidated subsidiaries. If the information is given as to the bank and its consolidated subsidiaries, it need not be given separately for the bank.

(b) The required information shall also be given separately as to each unconsolidated subsidiary or 50 percent owned person or other person, or group of such subsidiaries, 50 percent owned persons or other persons, for which separate individual or group statements are required to be included in the bank's annual reports filed with the Corporation. It need not be furnished, however, for any such unconsolidated subsidiary or person which would not be required pursuant to § 335.4(1) to file quarterly financial information if it were a bank.

E. *Preparation of Financial Information.* The form requires only the items of information specified. The information may carry a notation to the effect that it is not certified and any other qualification considered necessary or appropriate. Amounts may be stated in thousands of dollars (000 omitted) provided it is stated that such has been done. Losses or other negative amounts shall be indicated clearly in the caption and the amounts shown in parentheses.

F. *Incorporation by Reference to Published Statements.* If the bank makes available to its stockholders or otherwise publishes, within the period prescribed for filing the report, a financial statement containing the information required by this form, such information may be incorporated by reference to such published statement if copies thereof are filed as an exhibit to this report.

G. *Delay in Filing Information.* The information required may be omitted with respect to foreign subsidiaries not consolidated or other foreign persons if it is impracticable to furnish it within the time specified for filing the report, provided it is indicated that such information is furnished by amendment when available. Apart from the foregoing, any request for extension of time for the filing of the report or the furnishing of any of the required information shall be made pursuant to § 335.4(r).

H. *Financial Statements.* (a) The bank shall furnish an income statement, balance sheet, statement of changes in financial position, and statement of changes in capital accounts for the periods set forth in (b) below. These statements shall follow the general form of presentation set forth in §§ 335.7 and 335.71 with the following exceptions:

(1) Where any balance sheet caption is less than 10 percent of total assets, and the amount in the caption has not increased or decreased by more than 25 percent since the previous balance sheet presented, the caption may be combined with others. When any income statement caption is less than 15 percent of average net income for the most recent three years and the amount in the caption has not increased or decreased by more than 20 percent as compared to the next preceding comparable income statement, the caption may be combined with others. In calculating average net income, loss years should be excluded. If losses were incurred in each of the most recent three years, the average loss shall be used for purposes of this test.

(2) The statement of changes in financial position may be abbreviated, starting with a single figure of funds provided by operations and showing other sources and applications individually only when they exceed 10 percent of the average of funds provided by operations for the most recent three years.

(3) Section 335.7(e), § 335.7(1), and other requirements which call for detailed footnote disclosure and schedules shall not apply. As with all information filed with the Corporation, however, disclosures must be adequate to make the information presented not misleading.

(b) The condensed financial statements shall be provided for periods set forth below:

(1) The condensed income statement shall be presented for the most recent fiscal quarter, for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for corresponding periods of the preceding fiscal year. It also may be presented for the cumulative twelve month period ended during the most recent fiscal quarter and for the corresponding period of the preceding fiscal year.

(2) The balance sheet shall be presented as of the end of the most recent fiscal quarter and for the end of the corresponding period of the preceding fiscal year.

(3) The statement of changes in financial position and the statement of changes in capital accounts shall be presented for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for the corresponding period of the preceding fiscal year. They also may be presented for the cumulative twelve month period ended during the most recent fiscal quarter and for the corresponding period of the preceding fiscal year.

(c) If, during the current period in (b) above, the bank or any of its consolidated subsidiaries entered into a business combination treated for accounting purposes as a pooling of interests, the interim financial statements for both the current year and the preceding year shall reflect the combined results of the pooled businesses. Supplemental disclosure of the separate results of the combined entities for periods prior to the combination shall be given in a footnote with appropriate explanations.

(d) In case the bank has disposed of any significant portion of its business during any of the periods covered by the report, the effect thereof on revenues and net income—total and per share—for all periods shall be disclosed. In addition, where a material business combination accounted for as a purchase has occurred during the current fiscal year, pro forma disclosure shall be made of the results of operations for the current year up to the date of the end of the most recent fiscal quarter (and for the comparable period in the preceding year) as though the companies had combined at the beginning of the period being reported on. This pro forma information should as a minimum show (1) total operating income, (2) operating expenses, (3) income before securities gains (losses), (4) income before extraordinary items, and (5) net income. In addition, provide per share data for items (3), (4), and (5).

(e) The financial statements to be included in this report shall be prepared in conformity with the standards of accounting measurement set forth in Accounting Principles Board Opinion No. 28 and any amendments thereto adopted by the Financial Accounting Standards Board. In addition to meeting the reporting requirements for accounting changes specified therein, the bank shall state the date of any change and the reasons for making it. In addition, in the first Form F-4 filed subsequent to the date of an accounting change, a letter from the bank's independent accountants, or if none, from management, shall be filed as an exhibit indicating whether or not the change is to an alternative principle which in their judgement is preferable under the circumstances; except that no letter need be filed when the change is made in response to a standard adopted by the Financial Accounting Principles Board which requires such change.

(f) If appropriate, the income statement shall show earnings per share and dividends per share applicable to common stock and the basis of the earnings per share computation shall be stated together with the number of shares used in the computation. The bank shall file as an exhibit a statement setting forth in reasonable detail the computation of per share earnings, unless the computation is otherwise clearly set forth in the report.

(g) The information furnished shall reflect all adjustments which are, in the opinion of management, necessary to a fair statement of the results for the interim periods. A statement to that effect shall be included. Such adjustments shall include, for example, appropriate estimated provisions for bonus and profit sharing arrangements normally determined or settled at year-end.

(h) Any material retroactive prior period adjustment made during any period included in this report shall be disclosed, together with the effect thereof upon net income—total and per share—of any prior period included herein and upon the balance of undivided profits. If results of operations for any period reported herein have been adjusted retroactively by such an item subsequent to the initial reporting of such period, similar disclosure of the effect of the change shall be made.

I. *Management's Analysis of Quarterly Income Statements.* The bank shall provide a narrative analysis of the results of operations explaining the reasons for material changes in the amount of revenue and expense items between the most recent quarter and the quarter immediately preceding it, between the most recent quarter and the same calendar quarter in the preceding year, and, if applicable, between the current year to date and the same calendar period in the preceding year. Explanations of material changes should include, but not be limited to, changes in the various elements which affect revenue and expense levels, such as asset composition, deposit mix, sources of funds other than deposits, significant interest rate fluctuations, abnormal loan loss provisions, and discretionary spending programs. In addition, the analysis should include an explanation of the effect of any changes in accounting principles and practices or in the method of their application that have a material effect on net income as reported.

J. *Other Financial Information.* The bank may furnish any additional information related to the periods being reported on which, in the opinion of management, is of significance to investors, such as the seasonality of the bank's business, major uncertainties currently facing the bank, significant accounting changes under consideration and the dollar amount of standby letters of credit. In addition, the bank shall indicate whether any Form F-3 was required to be filed reporting any material unusual charges or credits to income during the most recently completed fiscal quarter or whether any Form F-3 was required to be filed during that period reporting a change in independent accountants.

K. *Review by Independent Public Accountant.* The financial information included in this form need not be reviewed prior to filing by an independent public accountant. If, however, a review of the data is made in accordance with established professional

standards and procedures for such a review, the bank may state that the independent accountant has performed such a review. If such a statement is made, the bank shall indicate whether all adjustments or additional disclosures proposed by the independent accountant have been reflected in the data presented, and, if not, why not. In addition, a letter from the bank's independent accountant confirming or otherwise commenting upon the bank's representations and making such other comments as the independent accountant deems appropriate may be included as an exhibit to the form.

L. *Filing of Other Statements in Certain Cases.* The Corporation may, upon the informal written request of the bank, and where consistent with the protection of investors, permit the omission of any of the information herein required or the filing in substitution therefor of appropriate information of comparable character. The Corporation may also by informal written notice require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person for which financial statements are required, or whose statements are otherwise necessary for the protection of investors.

M. *Sales of Securities (Debt or Equity).* If present, give the following information as to all securities of the bank or its subsidiaries sold by the bank or its subsidiaries during the fiscal quarter. Include sales of reacquired securities as well as new issues, securities issued in exchange for property, services or other securities, and new securities resulting from the modification of outstanding securities. If the information called for has been previously reported on another form, it may be incorporated by a specific reference to the previous filing.

(1) Give the date of sale, and the title and amount of the securities sold;

(2) Give the marekt price on the date of sale, if applicable;

(3) Give the names of the brokers, underwriters, or finders, if any. As to any securities sold but which were not the subject of a public offering, name the persons or identify the class of persons to whom the securities were sold;

(4) As to securities sold for cash, state the aggregate offering price and the aggregate underwriting discounts, brokerage commissions, or finder's fees. As to any securities sold otherwise than for cash, state the nature of the transaction and the nature and aggregate amount of consideration received; and

(5) State whether the securities have been legended or lettered, and stop-transfer instructions given in connection therewith.

N. *Signature and Filing of Report.* Six copies of the report shall be filed with the Corporation. At least one copy of the report shall be filed with each exchange on which any class of securities of the bank is listed and registered. At least one copy of the report filed with the Corporation and one copy filed with each such exchange shall be manually signed on the bank's behalf by a duly authorized officer of the bank and by the principal financial officer or chief accounting officer of the bank. Copies not manually signed shall bear typed or printed signatures.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

(Name of bank)

Date_____ By_____
([1] Signature)

Date_____ By_____
([1] Signature)

§ 335.51 [Amended]

4. Section 335.51, Item 14(b)(5) is amended by adding the sentence "See Instruction 4 to this item."

5. Section 335.51, Item 14(b) is amended by adding a new Instruction 4, as follows:

4. The provisions of Section 335.41, Item 2, Instruction 6 shall apply to the summaries required by this item.

[FR Doc.77-7017 Filed 3-8-77;8:45 am]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER A—GENERAL REGULATIONS OF THE FEDERAL HOME LOAN BANK BOARD

[No. 77-157]

PART 505b—PUBLIC INFORMATION REGARDING MEETINGS OF THE FEDERAL HOME LOAN BANK BOARD

Public Information

MARCH 4, 1977.

Summary. The following summary of the amendments adopted by this Resolution is included for the reader's convenience and is subject to the full explanation in the preamble and to the specific provisions of the regulations.

I. *Previous Regulation.* None.

II. *Proposed Regulation.* Promulgation of rules to implement the Government in the Sunshine Act by providing the public with information regarding the Board's decisionmaking processes.

III. *Final Regulation.* Substantially the same; restructuring and expansion of some provisions for purposes of clarification.

The Federal Home Loan Bank Board, by Resolution No. 77-9, dated January 5, 1977, proposed a new Part 505b to its general regulations (12 CFR Part 505b) to implement the Government in the Sunshine Act of 1976 (section 552b of Title 5 of the United States Code), which requires agencies of the Federal Government headed by collegial bodies, which includes the Board, to open their meetings to public observation, except under specified circumstances, by March 12, 1977.

Notice of such proposed rulemaking was published in the FEDERAL REGISTER on January 12, 1977 (42 FR 2503-2505), with an invitation to interested persons to submit written comments by February 14, 1977. On the basis of all relevant material presented by interested persons and otherwise available, the Board hereby adopts the regulations as proposed with modifications of a clarifying nature. These include a restructuring and renumbering of certain sections, expansion of certain provisions to conform more closely to the language of the Act, provision for additional availability of public notices if deemed desirable, and revision of the definition of "meeting" by deletion of the descriptive phrase "*in collegio*," explicit inclusion of certain telephonic deliberations, and explicit exclusion of deliberations regarding the nature of meetings, disposition by circulation of materials to and notation voting by individual Board members, staff briefings of Board members, and informal background discussions among Board members and staff which clarify issues and expose varying views.

The Board finds that publication of these regulations for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553 (d) prior to effective date is unnecessary because the regulations relate to Board procedure and practice.

Accordingly, the Board hereby amends its General Regulations by adding a new Part 505b thereto, effective March 12, 1977.

Sec.

505b.1 Purpose and scope.
505b.2 Definitions.
505b.3 Open meetings.
505b.4 Exemptions.
505b.5 Closed meetings.
505b.6 Public announcements of meetings.
505b.7 Accommodation for public attendance at open meetings.

AUTHORITY: Sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); Pub. L. 94-409; approved September 13, 1976. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071.

§ 505b.1 Purpose and scope.

This part is issued by the Federal Home Loan Bank Board pursuant to the requirement of the Government in the Sunshine Act, section 552b of Title 5, United States Code, that certain Federal agencies, including the Board, promulgate rules to implement the Act by providing the public with the fullest practicable information regarding the Board's decisionmaking processes while protecting the rights of individuals and the ability of the Board to carry out its responsibilities.

§ 505b.2 Definitions.

(a) For purposes of this part, the term "meeting" means any deliberations (including those conducted by conference telephone call) of two or more members of the Board, the purpose or effect of which is to determine or result in joint conduct of official business of the Board, but does not include (1) deliberations to determine whether meetings will be open or closed or whether information pertaining to closed meetings will be disclosed, (2) disposition of Board business by circulation of materials to and notation voting by individual Board members, (3) staff briefings of Board members,

[1] Print name and title of the signing officer under his signature.

and (4) informal background discussions among Board members and staff which clarify issues and expose varying views.

§ 505b.3 Open meetings.

Except as provided in § 505b.4 every portion of every meeting of the Board shall be open to public observation. Board members shall not jointly conduct or dispose of official agency business other than in accordance with this part.

§ 505b.4 Exemptions.

(a) The Board may close a meeting or portion of a meeting, and withhold information pertaining to such meeting, where it determines that disclosure of information pertaining to such meeting or portion thereof is likely to:

(1) Disclose matters that are (i) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and (ii) in fact properly classified pursuant to such Executive order;

(2) Relate solely to the internal personnel rules and practices of the Board;

(3) Disclose matters specifically exempted from disclosure by statute (other than 5 U.S.C. 552): *Provided*, That such statute (i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(4) Disclose trade secrets or commercial or financial information obtained from a person and privileged or confidential;

(5) Involve accusing any person of a crime, or formally censuring any person;

(6) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(7) Disclose investigatory records compiled for law enforcement purposes, or information which if written would be contained in such records, but only to the extent that the production of such records or information would (i) interfere with enforcement proceedings, (ii) deprive a person of a right to a fair trial or an impartial adjudication, (iii) constitute an unwarranted invasion of personal privacy, (iv) disclose the identity of a confidential source or, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (v) disclose investigative techniques and procedures, or (vi) endanger the life or physical safety of law enforcement personnel;

(8) Disclose information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of the Board or another agency responsible for the regulation or supervision of financial institutions;

(9) Disclose information the premature disclosure of which would:

(i) Be likely to (A) lead to significant financial speculation in currencies, securities, or commodities, or (B) significantly endanger the stability of any financial institution; or

(ii) Be likely to significantly frustrate implementation of a proposed Board action,

except that subdivision (ii) shall not apply in any instance where the Board has already disclosed to the public the content or nature of its proposed action, or where the Board is required by law to make such disclosure on its own initiative prior to taking final action on such proposal; or

(10) Specifically concern the Board's issuance of a subpena, or its participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition of a particular case of formal Board adjudication pursuant to the procedures in 5 U.S.C. 554 or otherwise involving a determination on the record after opportunity for a hearing.

(b) A meeting or portions of a meeting shall not be closed nor information withheld pursuant to paragraph (a) of this section if the Board finds that the public interest requires that the meeting or portion or portions of a meeting be open to public observation or that such information should not be withheld.

§ 505b.5 Closed meetings.

(a) *Meetings closed under expedited procedures.* (1) Since the Board qualifies for the use of expedited closing procedures under subsection 552b(d)(4) of the Act, meetings or portions thereof exempt under paragraphs (4), (8), (9)(i), or (10) of subsection (c) of the Act (paragraphs (a)(4), (8), (9)(i), or (10) of § 505b.4) may be closed to public observation and information pertaining to such meeting or portions thereof may be withheld from public disclosure, under the expediting procedures of this paragraph, unless the Board determines that the public interest requires an open meeting.

(2) Where a meeting or portion thereof is to be closed under this paragraph (a), a public record shall be kept of the Board Members' vote at the beginning of the meeting to close it or a portion thereof, and a copy of such vote, reflecting the vote of each member on the question, shall be made available to the public at or through the Office of the Secretary to the Board.

(3) Public announcement of the time, place, and subject matter of meetings or portions thereof closed under this paragraph (a) shall be made at the earliest practicable time.

(b) *Meetings closed under regular procedures.* (1) A meeting or portion thereof will be closed to public observation under regular procedures, or information pertaining to such meeting or portion of a meeting will be withheld, only by recorded vote of a majority of the members of the Board when it is determined that such meeting or portion or the withholding of such information qualifies for exemption under § 505b.4(a)(1), (2), (3), (5), (6), (7), or (9)(ii), and the Board does not find that the public interest requires otherwise. Votes by proxy shall not be allowed.

(2) Except as provided in paragraph (b)(3) of this section, a separate vote of the Board members will be taken with respect to the closing or the withholding of information as to each meeting or portion thereof which is proposed to be closed to public observation or with respect to which information is proposed to be withheld pursuant to this paragraph (b).

(3) A single vote may be taken with respect to a series of meetings, a portion or portions of which are proposed to be closed to public observation, or with respect to any information concerning such series of meetings proposed to be withheld, so long as each meeting in such series involves the same particular matters and is scheduled to be held no more than thirty days after the initial meeting in such series.

(4) Whenever any person's interests may be directly affected by a portion of a meeting for any of the reasons referred to in § 505b.4(a)(5), (6), or (7), such person may send a written request to the Secretary of the Board asking that such portion of the meting be closed to public observation. The Secretary, or in his absence the Acting Secretary to the Board, will transmit the request to the Board members and upon the request of any one of them a recorded vote will be taken whether to close such meeting to public observation.

(5) Within one day of any vote taken pursuant to this paragraph (b), the Board will make publicly available at or through the Office of the Secretary a written copy of such vote reflecting the vote of each Board member on the question. If a meeting or a portion of a meeting is to be closed to public observation, the Board, within one day of the vote taken pursuant to this paragraph (b), will make publicly available at or through the Office of the Secretary a full, written explanation of its action closing the meeting or portion of the meeting together with a list of all persons expected to attend the meeting and their affiliation, except to the extent such information is determined by the Board to be exempt from disclosure under § 505b.4(a).

(c) *Recordkeeping.* (1) A complete transcript or recording shall be made and maintained of the proceedings at each meeting or portion thereof closed to the public under this part, except that, where appropriate, minutes may be made and maintained in lieu of such transcript or recording with respect to meetings closed or information withheld under § 505b.4(a)(8), (9)(i) or (10). Such minutes shall fully and clearly describe all matters discussed and provide a full and accurate summary of any action taken, and the reasons therefor, including a description of each of the views expressed on any item and the record of any rollcall vote (reflecting the vote of each Board member on the question). All doc-

uments considered in connection with any action shall be identified in such minutes.

(2) Such transcript, electronic recording, or minutes of the discussion of any item on the agenda, or of any item of the testimony of any witness received at the meeting, shall be made promptly available to the public at or through the Office of the Secretary, except for such item or items of such discussion or testimony as the Board determines to contain information which may be withheld under § 505b.4(a). Copies of such transcript or minutes or a transcription of such recording, disclosing the identity of each speaker, shall be furnished to any person at the actual cost of duplication or transcription. The Board shall maintain a complete verbatim copy of the transcript, a complete copy of the minutes, or a complete electronic recording of each meeting, or portion of a meeting, closed to the public, for a period of at least two years after such meeting, or until one year after the conclusion of any Board proceeding with respect to which the meeting or portion thereof was held, whichever occurs later.

(3) For every meeting or portion thereof closed pursuant to this section, the General Counsel (or in his absence or incapacity the senior legal officer of the Board available) shall certify that such closure is authorized by law, including a statement pertaining to the relevant exemptive provision or provisions of law. A copy of such certification, together with a statement from the presiding officer of the meeting setting forth the time and place of the meeting and the persons (other than staff) present shall be retained by the Board.

(d) The following are examples of meetings or portions of meetings which may be closed:

(1) Meetings involving discount notes, bond amounts and maturities, and bond pricing;

(2) Meetings concerning institutions causing supervisory concern, formal examination, cease-and-desist, suspension, removal, or termination-of-insurance proceedings, conservatorships, or receiverships;

(3) Meetings concerning requests for insurance of accounts by existing institutions;

(4) Meetings concerning aspects of merger applications, applications for permission to convert from mutual to stock form of organization, or holding company matters, discussion of which is likely to disclose information in one or more of the categories in § 505b.4(a);

(5) Meetings concerning aspects of facilities applications, applications for insurance of accounts by new institutions, applications for permission to organize a Federal savings and loan association, or consideration of certain regulatory amendments, discussion of which is likely to disclose information in one or more of the categories in § 505b.4(a); and

(6) Meetings involving discussion of litigation in which the Board is involved.

§ 505b.6 Public announcements of meetings.

(a) Except as otherwise provided in this section, public announcement of open meetings and meetings or portions thereof closed under § 505b.5(b) will be made at least one week in advance of each meeting. Except to the extent that such information is determined to be exempt from disclosure under § 505b.4(a), each such public announcement will state the time, place, and subject matter of the meeting, whether it is to be open or closed to the public, and the name and telephone number of the official designated to respond to requests for information about the meeting. Each such announcement shall be posted in the main lobby of the Board's headquarters, and may be made available by other means or at other locations as may be deemed desirable by the Board. Immediately following each public announcement, the stated information shall also be submitted for publication in the FEDERAL REGISTER.

(b) Where a majority of the Board members determine by recorded vote that agency business requires that a meeting be called at any earlier date, the one-week prior-announcement rule shall be suspended and announcement shall be made at the earliest practicable time.

(c) Change of the time or place of a meeting following public announcement may be made only if announced at the earliest practicable time.

(d) Change of the subject matter of a meeting or redetermination to open or close a meeting or portions thereof may be made after public announcement only if a majority of the Board determines by recorded vote that agency business so requires and no earlier announcement of the change was possible, and public announcement of such change and the vote of each member upon such change is made at the earliest practicable time.

§ 505b.7 Accommodation for public attendance at open meetings.

Unless otherwise specified, open meetings are held in Room 630 at the Board's headquarters located at 320 First Street, NW., Washington, D.C. 20552, at the time and on the date specified in the advance public notice; such information is posted in the main lobby at such location. Interested members of the public may attend such meetings but may not participate therein unless invited or permitted to do so by the Board.

By the Federal Home Loan Bank Board.

J. J. FINN,
Secretary.

[FR Doc.77-6999 Filed 3-8-77;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2866]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Mayday Company, Inc., et al.

Correction

In FR Doc. 77-6154 appearing on page 12038 in the issue of Wednesday, March 2, 1977, on page 12041 in the third column, the first paragraph, the third line from the bottom should be corrected to read, "* * * statement setting forth said reasons prior * * *".

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-13310; File No. S7-641]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Extension of Temporary Rule for Submission of Price Quotations to Inter-Dealer Quotation System

AGENCY: Securities and Exchange Commission.

ACTION: Extension of temporary rule.

SUMMARY: The Commission has extended the expiration date of paragraph (f)(4)(T) of § 240.15c2-11 which presently requires market-makers to obtain certain basic information on the issuers of securities in which they submit price quotations. Paragraph (f)(4)(T) extends the exemptive provisions of § 240.-15c2-11 to broker-dealers who submit quotations to inter-dealer quotation systems on the basis of previous price quotations appearing in a system published weekly.

DATES: The expiration date of paragraph (f)(4)(T) of § 240.15c2-11 has been extended to April 30, 1977.

ADDRESSES: All communications on this matter should be directed in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Comments should refer to File No. S7-641 and will be available for public inspection.

FOR FURTHER INFORMATION CONTACT:

Richard Smith, Division of Market Regulation, Securities and Exchange Commission, Washington, D.C. 20549 (202-755-7918).

SUPPLEMENTARY INFORMATION: The Securities Exchange Commission (the "Commission") announced today the extension of temporary paragraph (f)(4)(T) of § 240.15c2-11[1] to April 30,

[1] 17 CFR 240.15c2-11(f)(4).

1977 pursuant to the Securities Exchange Act of 1934 (the "Act")[2] particularly Sections 2, 3, 11A, 15 and 23 thereof.[3] Paragraph (f)(4)(T) of § 240.15c2-11 was temporarily adopted on July 15, 1976,[4] and its expiration date was extended to February 28, 1977 by the Commission on November 15, 1976.[5] Temporary paragraph (f)(4)(T) of § 240.15c2-11 exempts from the provisions of that section certain publications and submissions of quotations[6] respecting securities traded over-the-counter which have been the subject, at least once each fifth business day, of both bid and ask quotations at specified prices reported to, and published by, an inter-dealer quotation system.

The staff of the Commission has engaged in extensive discussions with those persons directly affected by § 240.15c2-11 and has determined that a considerable number of questions remain as to the ultimate course, if any, which the Commission should take in revising that Section. Until such time as those questions are resolved, the Commission believes it is consistent with the public interest and the protection of investors to extend the expiration date of temporary paragraph (f)(4)(T) of § 240.15c2-11 to April 30, 1977.

The text of the temporary rule, as amended, is as follows:

§ 240.15c2-11 Initiation or resumption of quotations without specific information.

* * * * *

(f) The provisions of this section shall not apply to:

* * * * *

(4)(T) The publication or submission of a quotation respecting a security which, at least once each fifth business day, has been the subject of both bid and ask quotations at specified prices reported to, and published by, an inter-dealer quotation system—

(i) Which has reported to the broker or dealer who wishes to submit such a quotation that records of the system reflect that at least one registered broker or dealer has made, or

(ii) To which a registered broker or dealer who wishes to submit such a quotation has reported or represented that he has made both bid and ask quotations at specified prices on each of at least 12 business days within the previous 30 calendar days, with no more than 4 business days in succession without a reflection of the existence of such a two-way quotation.

This temporary subsection shall expire on April 30, 1977.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

FEBRUARY 28, 1977

[FR Doc.77-6946 Filed 3-8-77;8:45 am]

[2] 15 U.S.C. 78a et seq., as amended by Pub. L. 94-29 (June 4, 1975).

[3] 15 U.S.C. 78 (b), (c), (k-1), (o and (w).

[4] Exchange Act Release No. 34-12630 (July 15, 1976), 41 FR 30008 (July 21, 1976), 9 SEC Doc. 1114 (July 28, 1976).

[5] Exchange Act Release No. 34-12969 (November 15, 1976), 41 FR 50646 (November 17, 1976, 10 SEC Doc. 953 (November 30, 1976).

[6] A quotation is defined in § 240.15c2-11 for the purposes of that Rule as "any bid or offer at a specified price with respect to a security."

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

SUBCHAPTER H—REGULATIONS UNDER THE EMERGENCY NATURAL GAS ACT OF 1977

PART 295—EMERGENCY REGULATIONS

Order No. 1-A; National Association of Regulatory Utility Commissioners

Paragraph No. (2) of Order No. 1 dated February 3, 1977, is hereby amended by inserting "National Association of Regulatory Utility Commissioners" after "the National Governors' Conference" in subsection (3) as follows:

* * * (3) representatives of state and local governments, as designated by the National Governors' Conference, the National Association of Regulatory Utility Commissioners, the Conference of Mayors, and the National Association of Counties; * * *.

The change merely adds the National Association of Regulatory Utility Commissioners (NARUC) to the list of persons with whom I have consulted in administering the Emergency Natural Gas Act of 1977. NARUC representatives have attended and participated in the meetings of the Emergency Natural Gas Working Group.

RICHARD L. DUNHAM,
Administrator.

MARCH 4, 1977.

[FR Doc. 77-7099 Filed 3-8-77;8:45 am]

Title 19—Customs Duties

CHAPTER II—UNITED STATES INTERNATIONAL TRADE COMMISSION

SUBCHAPTER C—ADJUDICATIVE INVESTIGATIONS

PART 210—INVESTIGATIONS OF ALLEGED UNFAIR PRACTICES IN IMPORT TRADE

Applicability of Part

Notice is hereby given that the United States International Trade Commission is amending 19 CFR 210.1 to read as follows:

§ 210.1 Applicability of part.

The rules in this part govern procedure relating to proceedings under section 337 of the Tariff Act of 1930 (88 Stat. 2053; 19 U.S.C. 1337), and Pub. L. 710, July 2, 1940 (54 Stat. 724, 19 U.S.C. 1337a). These rules are authorized by sections 333 and 335 of the Tariff Act of 1930 (46 Stat. 699; 19 U.S.C. 1333 and 72 Stat. 680; 19 U.S.C. 1335).

No notice of proposed rulemaking has issued as this authorization language was published in the preamble to the notice of rulemaking, published in the FEDERAL REGISTER on April 27, 1976 (41 FR 17710), promulgating § 210.1 and the amendment of that section to include the subject language is noncontroversial and affirmatory in nature.

Issued: March 4, 1977.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.77-7026 Filed 3-8-77;8:45 am]

Title 22—Foreign Relations

CHAPTER VII—OVERSEAS PRIVATE INVESTMENT CORPORATION

PART 708—SUNSHINE REGULATIONS

Meetings Policy

On January 27, 1977, there was published in the FEDERAL REGISTER (42 FR 5086) a notice of proposed regulations necessary to implement the provisions of the Government in the Sunshine Act which would amend Title 22, Chapter VII of the Code of Federal Regulations by adding a new Part 708. The proposed regulations state the policy of the Corporation for open meetings, exemptions to the open meeting rule, procedures for transcribing meetings closed to public observation and for making the non-exempt portions of the transcripts available to the public, and procedures for the public announcement of meetings open or closed to public observation. All comments submitted with respect to the proposed regulations were given due consideration.

As a result of comments received, the following changes in the proposed regulations are made in addition to language changes for clarification:

A. The right to drop agenda items for meetings without notice under § 708.4 (b) has been deleted.

B. Section 708.5(c) has been reworded to make clear that any proposal to close a meeting should include consideration of how the public interest will be served by closure.

C. Section 708.6(a) has been clarified to indicate that the certification by the General Counsel should be made prior to the meeting to be closed.

Accordingly, Title 22, Chapter VII of the Code of Federal Regulations is amended by the addition of a Part 708 as set forth below.

Effective date: March 12, 1977.

Adopted by the Overseas Private Investment Corporation at its office in Washington, D.C. on March 3, 1977.

MARSHALL T. MAYS,
President.

Sec.

708.1 Purpose and applicability.
708.2 Open meeting policy.
708.3 Scheduling of a meeting.
708.4 Public announcement.
708.5 Closed meetings.
708.6 Records of closed meetings.

AUTHORITY: 5 U.S.C. 552b.

§ 708.1 Purpose and applicability.

The purpose of this part is to effectuate the provisions of the Government in the Sunshine Act. This part applies to

the deliberations of a quorum of the Directors of the Corporation required to take action on behalf of the Corporation where such deliberations determine or result in the joint conduct or disposition of official Corporation business, but does not apply to deliberations to take action to open or close a meeting or to release or withhold information under § 708.5. Any deliberation to which this part applies is hereinafter in this part referred to as a meeting of the Board of Directors.

§ 708.2 Open meeting policy.

(a) It is the policy of the Corporation to provide the public with the fullest practicable information regarding the decisionmaking process of the Board of Directors of the Corporation while protecting the rights of individuals and the ability of the Corporation to carry out its responsibilities. In order to effect this policy, every meeting of the Board of Directors shall be open to public observation and will only be closed to public observation if justified under one of the provisions of § 708.5. The public is invited to observe and listen to all meetings of the Board of Directors, or portions thereof, open to public observation, but may not participate or record any of the discussions by means of electronic or other devices or cameras. Documents being considered at meetings of the Board of Directors may be obtained subject to the procedures and exemptions set forth in Part 706 of this chapter.

(b) Directors of the Corporation shall not jointly conduct or dispose of agency business other than in accordance with this part. This prohibition shall not prevent Directors from considering individually business that is circulated to them sequentially in writing.

(c) The Secretary of the Corporation shall be responsible for assuring that ample space, sufficient visibility, and adequate acoustics are provided for public observation of meetings of the Board of Directors.

§ 708.3 Scheduling of a meeting.

A decision to hold a meeting of the Board of Directors should be made as provided in the By-laws of the Corporation and at least eight days prior to the scheduled meeting date in order for the Secretary of the Corporation to give the public notice required by § 708.4. However in special cases, a majority of the Directors may decide to hold a meeting less than eight days prior to the scheduled meeting date if they determine by a recorded vote that Corporation business requires such meeting at such earlier date. After public announcement of a meeting of the Board of Directors under the provisions of § 708.4, the subject matter thereof, or the determination to open or close a meeting, or portion thereof, may only be changed if a majority of the Directors determines by a recorded vote that business so requires and that no earlier announcement of the change is possible.

§ 708.4 Public announcement.

(a) Except to the extent that such information is exempt from disclosure under the provisions of § 708.5, in the case of each meeting of the Board of Directors, the Secretary shall make public announcement at least one week before the meeting, of the time, place, and subject matter of the meeting, whether it is to be open or closed to the public, and the name and telephone number of the official designated by the Corporation to respond to requests for information about the meeting. Such announcement shall be made unless a majority of the Directors determines by a recorded vote that Corporation business requires that such meeting be called at an earlier date, in which case the Secretary shall make public announcement of the time, place, and subject matter of such meeting, and whether open or closed to the public, at the earliest practicable time.

(b) The time or place of a meeting may be changed following the public announcement required by paragraph (a) of this section only if the Secretary publicly announces such change at the earliest practicable time. The subject matter of a meeting, or the determination of the Corporation to open or close a meeting, or portion of a meeting, to the public, may be changed following the public announcement required by this section only if (1) a majority of the Directors determines by a recorded vote that business so requires and that no earlier announcement of the change was possible, and (2) the Secretary publicly announces such change and the vote of each Director upon such change at the earliest practicable time.

(c) The "earliest practicable time", as used in this subsection, means as soon as possible, which should in few, if any, instances be later than the commencement of the meeting or portion in question.

(d) The Secretary shall use reasonable means to assure that the public is fully informed of the public announcements required by this section. Such public announcements may be made by posting notices in the public areas of the Corporation's headquarters and mailing notices to the persons on a list maintained for those who want to receive such announcements.

(e) Immediately following each public announcement required by this section, notice of the time, place, and subject matter of a meeting, whether the meeting is open or closed, any change in one of the preceding announcements, and the name and telephone number of the official designated by the Corporation to respond to requests for information about the meeting shall also be submitted by the Secretary for publication in the FEDERAL REGISTER.

§ 708.5 Closed meetings.

(a) Meetings of the Board of Directors will be closed to public observation where the Corporation properly determines, according to the procedures set forth in paragraph (c) of this section, that such portion or portions of the meeting or disclosure of such information is likely to:

(1) Disclose matters that are (i) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and are (ii) in fact properly classified pursuant to such Executive order;

(2) Relate solely to the internal personnel rules and practices of an agency;

(3) Disclose matters specifically exempted from disclosure by statute (other than 5 U.S.C. 552), *Provided*, That such statute (i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(4) Disclose the trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) Involve accusing any person of a crime, or formally censuring any person;

(6) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(7) Disclose investigatory records compiled for law enforcement purposes, or information which if written would be contained in such records, but only to the extent that the production of such records or information would (i) interfere with enforcement proceedings, (ii) deprive a person of a right to a fair trial or an impartial adjudication, (iii) constitute an unwarranted invasion of personal privacy, (iv) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (v) disclose investigative techniques and procedures, or (vi) endanger the life or physical safety of law enforcement personnel;

(8) Disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action, except in any instance where the Corporation has already disclosed to the public the content or nature of its proposed action, or where the Corporation is required by law to make such disclosure on its own initiative prior to taking final Corporation action on such proposal; or

(9) Specifically concern the Corporation's participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition by the Corporation of a particular case of formal Corporation adjudication pursuant to the procedures in 5 U.S.C. 554 or otherwise involving a determination on the record after opportunity for a hearing.

(b) Meetings of the Board of Directors shall not be closed pursuant to paragraph (a) of this section when the Corporation finds that the public interest requires that they be open.

(c) (1) Action to close a meeting, or portion thereof, pursuant to the exemptions defined in paragraph (a) of this section may be initiated by the President or any Director of the Corporation by presentation of a request for closure to the Board of Directors. The person initiating the request for closure shall give the Board of Directors a statement specifying the extent of the proposed closure, the relevant exemptive provisions and the circumstances pertinent to such request, and how the public interest will be served by closure. Such statement shall also be given to the General Counsel of the Corporation to serve as a basis for the certification the General Counsel may determine can be issued in accordance with § 708.6. The General Counsel's determination shall be given to the Board of Directors. Action to close a meeting, or portion thereof, shall be taken only when a majority of the entire membership of the Board of Directors votes to take such action. A separate vote of the Board of Directors shall be taken with respect to each meeting of the Board of Directors a portion or portions of which are proposed to be closed to the public or with respect to any information which is proposed to be withheld. A single vote may be taken with respect to a series of meetings, a portion or portions of which are proposed to be closed to the public, or with respect to any information which is proposed to be withheld. A single vote may be taken with respect to a series of meetings, a portion or portions of which are proposed to be closed to the public, or with respect to any information concerning such series of meetings, so long as each meeting in such series involves the same particular matters and is scheduled to be held no more than thirty days after the initial meeting in such series. The vote of each Director participating in such vote shall be recorded and no proxies shall be allowed.

(2) Whenever any person whose interests may be directly affected by a portion of a meeting requests that the Corporation close such portion to the public for any of the reasons referred to in paragraph (a)(5), (a)(6), or (a)(7) of this section, the Corporation, upon request of any one of its Directors, shall vote by recorded vote whether to close such meeting.

(3) Within one day of any vote taken pursuant to paragraph (c)(1) or (c)(2) of this section, the Secretary shall make publicly available a written copy of such vote reflecting the vote of each member on the question. If a portion of a meeting is to be closed to the public, the Secretary shall, by the close of the business day next succeeding the day of the vote taken pursuant to paragraph (c)(1) or (c)(2) of this section, make publicly available a full written explanation of the Corporation's action closing the portion together with a list of all persons expected to attend the meeting and their affiliation. The information required by this subparagraph shall be disclosed except to the extent that it is exempt from disclosure under the provisions of paragraph (a) of this section.

§ 708.6 Records of closed meetings.

(a) For every meeting of the Board of Directors closed pursuant to § 708.5, the General Counsel of the Corporation shall publicly certify prior to such meeting that, in his or her opinion, the meeting may be closed to the public and shall state each relevant exemptive provision. A copy of such certification, together with a statement from the presiding officer of the meeting setting forth the time and place of the meeting, and the persons present, shall be retained by the Secretary as part of the transcript, recording, or minutes required by paragraph (b) of this section.

(b) The Secretary shall maintain a complete transcript or electronic recording adequate to record fully the proceedings of each meeting, or portion of a meeting, closed to the public, except that in the case of a meeting, or portion of a meeting, closed to the public pursuant to § 708.5(a)(9), the Secretary shall maintain either such a transcript or recording, or a set of minutes. Such minutes shall fully and clearly describe all matters discussed and shall provide a full and accurate summary of any actions taken, and the reasons therefor, including a description of each of the views expressed on any item and the record of any roll-call vote (reflecting the vote of each member on the question). All documents considered in connection with any Corporation action shall be identified in such minutes.

(c) The Secretary shall maintain a complete verbatim copy of the transcript, a complete copy of the minutes, or a complete electronic recording of each meeting, or portion of a meeting, closed to the public, for a period of at least two years after such meeting, or until one year after the conclusion of the proceeding of the Board of Directors with respect to which the meeting or portion was held, whichever occurs later.

(d) Within ten days of receipt of a request for information (excluding Saturdays, Sundays, and legal public holidays), the Corporation shall make available to the public, in the Office of Secretary of the Corporation, Washington, D.C., the transcript, electronic recording, or minutes (as required by paragraph (b) of this section) of the discussion of any item on the agenda, or of any item of the testimony of any witness received at the meeting, except for such item or items of such discussion or testimony as the Secretary determines to contain information which may be withheld under the provisions of § 708.5. Copies of such transcript, or minutes, or a transcription of such recording disclosing the identify of each speaker, shall be furnished to any person at the actual cost of duplication or transcription.

(e) The determination of the Secretary to withhold information pursuant to paragraph (d) of this section may be appealed to the President of the Corporation, in his or her capacity as administrative head of the Corporation. The President will make a determination to withhold or release the requested information within twenty days from the date of receipt of the request for review (excluding Saturdays, Sundays, and legal public holidays).

[FR Doc.77-6907 Filed 3-8-77;8:45 am]

Title 24—Housing and Urban Development

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-77-339]

PART 35—LEAD-BASED PAINT POISONING PREVENTION IN CERTAIN RESIDENTIAL STRUCTURES

Amendments of Definitions in Subparts A and B and Addition of New Subpart F (Prohibition Against the Use of Lead-Based Paint in Federal and Federally Assisted Construction of Residential Structures); Correction

On January 27, 1977 (42 FR 5042) the Department published an Amendment to Part 35 which changed Subparts A and B and added a new Subpart F. By mistake, the number 36 rather than number 35 was prefixed as part number to each of the section numbers in the new Subpart F.

Therefore, section numbers in 24 CFR Subpart F now reading § 36.60 through § 36.65 should be changed to read § 35.60 through § 35.65, respectively, in both the section headings and the Table of Sections.

(Sec. 7(d) of Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).)

Issued at Washington, D.C., March 2, 1977.

PATRICIA ROBERTS HARRIS,
Secretary of Housing and Urban Development.

[FR Doc.77-6963 Filed 3-8-77;8:45 am]

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING—FEDERAL HOUSING COMMISSIONER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-407]

SUBCHAPTER B—MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER NATIONAL HOUSING ACT

MORTGAGE INSURANCE

Deferral of Effective Date of Certain Provisions

AGENCY: Department of Housing and Urban Development.

ACTION: Deferral of effective date of certain provisions.

SUMMARY: This rule defers for 90 days the effective date of the miscellaneous amendments published as final rules at 42 FR 762, January 4, 1977, with a notice of correction published at 42 FR 2954,

January 14, 1977. These amendments established regulatory procedures for disbursement of mortgage proceeds for construction items of projects regulated under parts 207, 213, 221 and 231 of Title 24. Parts 220, 227, 234 and 236 would also be amended by incorporation by reference. The deferral of the effective date is necessary to provide an opportunity to evaluate the effect of recent litigation on the final rule.

EFFECTIVE DATE: June 4, 1977.

FOR FURTHER INFORMATION CONTACT:

Shelby Friedman, Office of the Deputy Assistant Secretary for Insured and Direct Loan Programs, HUD, Washington, D.C. 20410. (202-755-6497)

SUPPLEMENTARY INFORMATION: On the day prior to publication of the subject amendments as final rulemaking, the Court of Appeals for the District of Columbia Circuit handed down an opinion concerning a case directly on point with the intent of the amendments. The pertinence of the appellate decision in this case, entitled *Trans-Bay Engineers and Builders, Inc.* v. *Carla A. Hills, et al.*, ____F.2d____(D.C. Cir. 1977) (No. 75-1976), to the final rule has given the Department cause to closely examine its impact on the final rule, and to review the final rule for conformance with the law as it now stands. Additionally, initial review indicates that alteration to present HUD documentation is desirable. While these revisions are not subject to formal rulemaking, they suggest the opportunity for ancillary regulatory change, thus further warranting the extension of the effective date for 90 days. The Department finds that 90 days is necessary to permit further consideration to revising the relevant regulations, handbooks and documents, and to permit a sufficent interval to have revised material printed and distributed to the field offices and other affected parties.

(Section 7(d) of the Department of HUD Act; 42 U.S.C. 3535(d).)

Issued at Washington, D.C., March 3, 1977.

MORTON A. BARUCHI,
Acting Deputy Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc.77-7061 Filed 3-8-77;8:45 am]

Title 29—Labor

CHAPTER I—NATIONAL LABOR RELATIONS BOARD

PART 102—RULES AND REGULATIONS, SERIES 8

Ex Parte Communications

AGENCY: National Labor Relations Board.

ACTION: Promulgation of Amendments of Rules.

SUMMARY: Subpart P of the Rules and Regulations of the National Labor Relations Board prohibits ex parte communications, as therein defined, in agency proceedings. Subpart P was initially promulgated on November 1, 1966. The amendments made at this time are those required to conform the terminology and scope of the Board's rules to the requirements of 5 U.S.C. 557(d), as enacted by Public Law 94-409, September 13, 1976. The changes in terminology and definition do not significantly affect the broad prohibition of such communications provided heretofore, but such prohibition now may be applicable from the time a notice of hearing in an unfair labor practice proceeding is issued, or the time the communicator has knowledge that a complaint or notice of hearing will issue, whichever occurs first. The amended rules now require that any such communication become part of the record in the proceeding. They also provide additional penalties for violation of the rule, as permitted by 5 U.S.C. 557(d)(1)(D), and 556(d), as amended.

The reorganization of the various provisions of Subpart P by these amendments has resulted in the rule section number 102.134 having no corresponding provision, wherefore that number is now blank.

DATES: These amendments shall be effective on March 9, 1977.

FOR FURTHER INFORMATION CONTACT:

John C. Truesdale, Esquire, Executive Secretary, National Labor Relations Board, 1717 Pennsylvania Avenue, Washington, D.C. 20570

The National Labor Relations Board hereby promulgates amendments to Subpart P of its Rules and Regulations and revises 29 CFR 102.126 through 102.133 as set forth below:

Subpart P—Ex Parte Communications

Sec.

102.126 Unauthorized communications.
102.127 Definitions.
102.128 Types of on-the-record proceedings; categories of Board agents, and duration of prohibition.
102.129 Communications prohibited.
102.130 Communications not prohibited.
102.131 Solicitation of prohibited communications.
102.132 Reporting of prohibited communications; penalties.
102.133 Penalties and enforcement.

AUTHORITY: Section 6 of National Labor Relations Act, as amended (49 stat. 452; 29 U.S.C. 156).

Subpart P—Ex Parte Communications

§ 102.126 Unauthorized communications.

(a) No interested person outside this agency shall, in an on-the-record proceeding of the types defined in § 102.128, make or knowingly cause to be made any prohibited ex parte communication to Board agents of the categories designated in that section relevant to the merits of the proceeding.

(b) No Board agent of the categories defined in § 102.128, participating in a particular proceeding as defined in that section, shall (i) request any prohibited ex parte communications; or (ii) make or knowingly cause to be made any prohibited ex parte communications about the proceeding to any interested person outside this agency relevant to the merits of the proceeding.

§ 102.127 Definitions.

When used in this subpart:

(a) The term "person outside this agency," to whom the prohibitions apply, shall include any individual outside this agency, partnership, corporation, association, or other entity, or an agent thereof, and the general counsel or his representative when prosecuting an unfair labor practice proceeding before the Board pursuant to section 10(b) of the act.

(b) The term "ex parte communication" means an oral or written communication not on the public record with respect to which reasonable prior notice to all parties is not given, subject however, to the provisions of §§ 102.129 and 102.130.

§ 102.128 Types of on-the-record proceedings; categories of Board agents; and duration of prohibition.

Unless otherwise provided by specific order of the Board entered in the proceeding, the prohibition of § 102.126 shall be applicable in the following types of on-the-record proceedings to unauthorized ex parte communications made to the designated categories of Board agents who participate in the decision, from the stage of the proceeding specified until the issues are finally resolved by the Board for the purposes of that proceeding under prevailing rules and practices:

(a) In a preelection proceeding pursuant to section 9(c)(1) or 9(e), or in a unit clarification or certification amendment proceeding pursuant to section 9(b) of the act, in which a formal hearing is held, communications to the regional director and members of his staff who review the record and prepare a draft of his decision, and members of the Board and their legal assistants, from the time the hearing is opened.

(b) In a postelection proceeding pursuant to section 9(c)(1) or 9(e) of the act, in which a formal hearing is held, communications to the hearing officer, the regional director and members of his staff who review the record and prepare a draft of his report or decision, and members of the Board and their legal assistants, from the time the hearing is opened.

(c) In a postelection proceeding pursuant to section 9(c)(1) or 9(e), or in a unit clarification or certification amendment proceeding pursuant to section 9(b), of the act, in which no formal hearing is held, communications to members of the Board and their legal assistants, from the time the regional director's report or decision is issued.

(d) In a proceeding pursuant to section 10(k) of the act, communications to members of the Board and their legal assistants, from the time the hearing is opened.

(e) In an unfair labor practice proceeding pursuant to section 10(b) of the act, communications to the administrative law judge assigned to hear the case or to make rulings upon any motions or issues therein and members of the Board and their legal assistants, from the time the complaint and/or notice of hearing is issued, or the time the communicator has knowledge that a complaint or notice of hearing will be issued, whichever occurs first.

(f) In any other proceeding to which the Board by specific order makes the prohibition applicable, to the categories of personnel and from the stage of the proceeding specified in the order.

§ 102.129 Communications prohibited.

Except as provided in § 102.130, ex parte communications prohibited by section 102.126 shall include:

(a) Such communications, when written, if copies thereof are not contemporaneously served by the communicator on all parties to the proceeding in accordance with the provisions of § 102.112.

(b) Such communications, when oral, unless advance notice thereof is given by the communicator to all parties in the proceeding and adequate opportunity afforded to them to be present.

§ 102.130 Communications not prohibited.

Ex parte communications prohibited by § 102.126 shall not include:

(a) Oral or written communications which relate solely to matters which the hearing officer, regional director, administrative law judge, or member of the Board is authorized by law or Board rules to entertain or dispose of on an ex parte basis.

(b) Oral or written requests for information solely with respect to the status of a proceeding.

(c) Oral or written communications which all the parties to the proceeding agree, or which the responsible official formally rules, may be made on an ex parte basis.

(d) Oral or written communications proposing settlement or an agreement for disposition of any or all issues in the proceeding.

(e) Oral or written communications which concern matters of general significance to the field of labor-management relations or administrative practice and which are not specifically related to pending on-the-record proceedings.

(f) Oral or written communications from the general counsel to the Board when the general counsel is acting as counsel for the Board.

§ 102.131 Solicitation of prohibited communications.

No person shall knowingly and willfully solicit the making of an unauthorized ex parte communication by any other person.

§ 102.132 Reporting of prohibited communications; penalties.

(a) Any Board agent of the categories defined in § 102.128 to whom a prohibited oral ex parte communication is attempted to be made shall refuse to listen to the communication, inform the communicator of this rule, and advise him that if he has anything to say it should be said in writing with copies to all parties. Any such board agent who receives, or who makes or knowingly causes to be made, an unauthorized ex parte communication shall place or cause to be placed on the public record of the proceeding (1) the communication, if it was written, (2) a memorandum stating the substance of the communication, if it was oral, (3) all written responses to the prohibited communication, and (4) memoranda stating the substance of all oral responses to the prohibited communication. The executive secretary, if the proceeding is then pending before the Board, the administrative law judge, if the proceeding is then pending before any such judge, or the regional director, if the proceeding is then pending before a hearing officer or the regional director, shall serve copies of all such materials placed on the public record of the proceeding on all other parties to the proceeding and on the attorneys of record for the parties. Within 10 days after the mailing of such copies, any party may file with the executive secretary, administrative law judge, or regional director serving the communication, and serve on all other parties, a statement setting forth facts or contentions to rebut those contained in the prohibited communication. All such responses shall be placed in the public record of the proceeding, and provision may be made for any further action, including reopening of the record, which may be required under the circumstances. No action taken pursuant to this provision shall constitute a waiver of the power of the Board to impose an appropriate penalty under § 102.133.

(b) Upon notice and hearing, the Board may censure, suspend, or revoke the privilege of practice before the agency of any person who knowingly and willfully makes or solicits the making of a prohibited ex parte communication. However, before the Board institutes formal proceedings under this subsection, it shall first advise the person or persons concerned in writing that it proposes to take such action and that they may show cause, within a period to be stated in such written advice, but not less than 7 days from the date thereof, why it should not take such action.

(c) The Board may censure, or, to the extent permitted by law, suspend, dismiss, or institute proceedings for the dismissal of, any Board agent who knowingly and willfully violates the prohibitions and requirements of this rule.

§ 102.133 Penalties and enforcement.

Where the nature and circumstances of a prohibited communication made by or caused to be made by a party to the proceeding are such that the interests of justice and statutory policy may require remedial action, the Board, administrative law judge, or regional director, as the case may be, may issue to the party making the communication a notice to show cause, returnable before the Board within a stated period not less than 7 days from the date thereof, why the Board should not determine that the interests of justice and statutory policy require that the claim or interest in the proceeding of a party who knowingly makes a prohibited communication or knowingly causes a prohibited communication to be made, should be dismissed, denied, disregarded or otherwise adversely affected on account of such violation.

Dated, Washington, D.C., March 4, 1977.

By direction of the Board.

JOHN C. TRUESDALE,
Executive Secretary.

[FR Doc.77-6990 Filed 3-8-77;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 696-1; PP6E1833/R121]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Sodium Chlorate

On January 4, 1977, the Environmental Protection Agency (EPA) published a notice of proposed rulemaking (42 FR 815) announcing its intention to amend 40 CFR 180.1020 by establishing an exemption from the requirement of a tolerance for residues of the pesticide chemical sodium chlorate in or on the raw agricultural commodity soybeans. This proposed rulemaking was published in connection with a petition (PP 6EF1833) submitted to the EPA by Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, New Jersey State Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick, NJ 08903, on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Arkansas, Kansas, Mississippi, Missouri, and Texas.

No comments or requests for referral to an advisory committee were received in response to this notice of proposed rulemaking. Therefore, effective March 9, 1977, 40 CFR 180.1020 is amended as proposed.

Any person adversely affected by this regulation may on or before April 8, 1977 file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW, East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions for the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are

supported by grounds legally sufficient to justify the relief sought.

Dated: March 3, 1977.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

Part 180, Subpart D, Section 180.1020 is amended by revising paragraph (b) to exempt residues of sodium chlorate in or on soybeans, from the requirement of a tolerance, to read as follows:

§ 180.1020 Sodium Chlorate; exemption from the requirement of a tolerance.

* * * * *

(b) Sodium chlorate is exempted from the requirement of a tolerance for residues in or on grain sorghum, fodder, and forage, rice and rice straw, soybeans, and sunflower seeds, when used as a desiccant in accordance with good agricultural practice in the production of grain sorghum, rice, soybeans, and sunflower seeds.

* * * * *

[FR Doc.77-6903 Filed 3-8-77;8:45 am]

Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

[General Order 22; Admt. 8; Doc. No. 76-65]

PART 503—PUBLIC INFORMATION

Correction

In the Commission's final rules in this proceeding served February 25, 1977, and published March 2, 1977 (42 FR 12049), the designation of these rules as "General Order 22" should read "General Order 22; Amdt. 8".

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc.77-7021 Filed 3-8-77;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 21001; RM-2753]

PART 73—RADIO BROADCAST STATIONS

FM Broadcast Station in Benton, La.; Changes Made in Table of Assignments

Adopted: March 2, 1977.

Released: March 4, 1977.

Report and Order.—Proceeding terminated. In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Benton, Louisiana), Docket No. 21001, RM-2753.

1. The Commission has under consideration its Notice of Proposed Rule Making, adopted November 16, 1976, 41 FR 52499, inviting comments on a proposal to assign Channel 221A to Benton, Louisiana. This proceeding was instituted on the basis of a petition filed by Blossman Associates, Inc. ("petitioner"). Supporting comments were filed by petitioner. No oppositions were filed.

2. Benton (pop. 1,493),[1] the seat of Bossier Parish (pop. 64,519), is located approximately 19 kilometers (12 miles) north of Shreveport, Louisiana, and approximately 450 kilometers (280 miles) northwest of New Orleans, Louisiana. Benton has no local aural broadcast service. The proposed assignment could be made in conformance with the minimum separation requirements. Petitioner states that, if Channel 221A is assigned to Benton, it will apply for it and, if granted, will immediately construct and operate a station.

3. In support of its proposal, petitioner submitted information with respect to Benton and its need for a first FM channel assignment to bring the community its first local aural service.

4. We have given careful consideration to the proposal and believe that Channel 221A should be assigned to Benton, Louisiana. An interest has been shown for its use and it would be in the public interest as it would provide the community with a first local aural broadcast service.

5. Authority for the adoption of the amendment contained herein appears in sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

6. In view of the foregoing: *It is ordered*, That effective April 15, 1977, § 73.202(b) of the Commission's rules, the FM Table of Assignments, as regards Benton, Louisiana, is amended to read as follows:

§ 73.202 Table of assignments.

* * * * *

(b) Table of FM assignments.

* * * * *

City	Channel No.
LOUISIANA	
* * * * *	
Benton	221A

[1] Both population figures are taken from the 1970 U.S. Census.

7. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303).)

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.77-6967 Filed 3-8-77;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 33—SPORT FISHING

Swan Lake National Wildlife Refuge, Mo.

The following special regulation is issued and is effective March 9, 1977.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MISSOURI

SWAN LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Swan Lake National Wildlife Refuge, Sumner, Missouri, is permitted on the areas designated by signs as open to fishing. The open areas, comprising 10,500 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Denver Federal Center, P.O. Box 25486, Denver, Colorado 80225. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from March 1 through September 30, 1977 inclusive, during daylight hours only.

(2) Boats without motors may be used on Swan Lake, Silver Lake, and that portion of South Lake immediately adjacent to No. 5 Levee.

(3) Travel is permitted on all roads except those posted with "Road Closed" signs.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 30, 1977.

ALFRED O. MANKE,
Refuge Manager,
Swan Lake National Wildlife Refuge.

MARCH 1, 1977.

[FR Doc.77-6924 Filed 3-8-77;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[7 CFR Part 1901]

FAIR HOUSING AFFIRMATIVE MARKETING PLAN FROM BUILDERS, DEVELOPERS AND CONTRACTORS

Civil Rights Compliance Requirements

Notice is hereby given that the Farmers Home Administration has under consideration the proposed amendment of § 1901.203(c) of Subpart E, Part 1901, Title 7, Code of Federal Regulations (41 FR 40112). The proposed amendment requires a fair housing affirmative marketing plan from builders, developers, contractors who build with conditional commitments, packagers and others who provide housing for sale or rent under Title VIII of the Civil Rights Act of 1968.

Interested persons are invited to submit written comments, suggestions or objections to the Chief, Directives Management Branch, Farmers Home Administration, U.S. Department of Agriculture, Room 6316, South Building, Washington, D.C. 20250, on or before April 8, 1977. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Chief, Directives Management Branch during regular business hours (8:15 a.m. to 4:45 p.m.).

As proposed, § 1901.203(c) is amended to read as follows:

§ 1901.203 Title VIII of the Civil Rights Act of 1968.

* * * * *

(c) *FmHA affirmative action.* (1) It is the policy of the Farmers Home Adminstration to administer its FmHA housing program affirmatively so individuals of similar income levels in the housing market area have housing choices available to them regardless of their race, color, religion, sex or national origin. Applicants and participants in FmHA housing programs who request approval for subdivision development involving five or more sites, multi-family projects with five or more units, or five or more conditional commitments for dwelling units during a 12-month period must submit an affirmative fair housing marketing plan. Any real estate broker who agrees to list acquired rural housing properties on a term basis as described in § 1955.118(c) of this chapter must sign a nondiscrimination certification. The Farmers Home Administration will develop, maintain and operate an affirmative fair housing marketing plan for acquired properties managed in accordance with § 1955.63 of this chapter and offered for sale in accordance with § 1955.117 of this chapter. Such applicants shall pursue affirmative fair housing marketing policies in soliciting buyers and tenants; in determining their eligibility; and in concluding sales and rental transactions.

(2) The affirmative fair housing marketing plans must be submitted as follows:

(i) For subdivisions—with the preliminary submission of plans and specifications.

(ii) For rural rental housing, labor housing and rural rental site projects—with the AD 621, "Application for Federal Assistance" or with the letter of application.

(iii) For conditional commitment of five or more individual dwelling units in a 12 month period with the application for the fifth conditional commitment.

(3) Affirmative fair housing marketing plans will be submitted on form HUD–935.2 (3–76) or a narrative statement which includes:

(i) A statement of the seller's proposed efforts to reach those persons in the marketing area who traditionally would not be expected to apply for housing.

(ii) A description of efforts undertaken and/or planned to maintain a nondiscriminatory hiring policy in recruiting for staff engaged in the sale or rental of properties.

(iii) A description of methods used to train and instruct employees engaged in the sale or rental of properties in the policy and application of nondiscrimination and fair housing.

(iv) A commitment to display in all sales and rental offices the "Fair Housing" poster.

(v) A commitment to post in a conspicuous position on each property a sign displaying the equal housing opportunity logo or the following statement, "We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex or national origin."

(vi) A description of efforts to publicize the availability of housing opportunities to minority persons through the type of media customarily used by the applicant or participant. As part of this effort, all advertising must include either the equal housing opportunity logo or statement.

(4) Affirmative fair housing marketing plans will cover the following time periods:

(i) For subdivision, from time of application until all lots are sold.

(ii) For multi-family projects, from time of application until loan is paid in full.

(iii) For conditional commitments for individual dwelling units, one year.

(5) Affirmative fair housing marketing plans for conditional commitments will be reviewed and approved by the County Supervisor. The County Supervisor will review and submit with any comments other fair housing marketing plans to the State Office for approval. Any applicant or participant covered by this section must have an affirmative fair housing marketing plan for subdivisions, conditional commitments, or multi-family project approved after the issuance of these regulations.

(6) Approved affirmative fair housing marketing plans will be made available by the applicant or participant for public inspection upon request at the appropriate sale or rental office.

(7) Applicants failing to comply with these requirements will be liable to sanctions authorized by regulations, rules or policies governing the program in which they are participating including but not limited to denial of further participation in FmHA programs and referral to the Department of Justice for suit by the United States for injunctive or other appropriate relief.

* * * * *

(7 U.S.C. 1989; 42 U.S.C. 1480; 42 U.S.C. 2942; 5 U.S.C. 301; Sec. 10 Pub. L. 93–357, 88 Stat. 392; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70; delegations of authority by Dir., OEO 29 FR 14764, 33 FR 9850.)

Dated: February 28, 1977.

F. W. NAYLOR, Jr.,
Acting Administrator,
Farmers Home Administration.

[FR Doc.77–6956 Filed 3–8–77;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Parts 211 and 212]

ALASKA NORTH SLOPE CRUDE OIL

Pricing and Entitlements Treatment

AGENCY: Federal Energy Administration ("FEA").

ACTION: Notice of Inquiry (Advance Notice of Proposed Rulemaking).

SUMMARY: FEA is considering what amendments to its price and allocation regulations, if any, will be necessary in anticipation of the first deliveries of

crude oil from Alaska North Slope ("ANS") production in August or September, 1977.

This notice of inquiry is being issued in order to obtain preliminary comments from interested persons with respect to regulatory treatment of ANS production, which is expected to provide an estimated 8 to 12 percent of total U.S. refinery needs in 1978 and 1979. FEA seeks initial comments at this time, in advance of formal proposed rulemaking procedures, particularly in view of the report which must be submitted to the Congress on April 15, 1977, under section 8(g) of the Emergency Petroleum Allocation Act of 1973, as amended ("EPAA"), concerning the effects of price and allocation regulations on ANS and other domestic crude oil production, and with respect to the matter of exclusion or inclusion of ANS production under the national statutory composite crude oil price established by section 8 of the EPAA.

In general, this notice outlines several price and allocation (entitlements program) issues which are raised by the prospect of significant volumes of ANS crude oil being added to domestic production this year. Included are issues relating to the appropriate wellhead price for such crude oil and the appropriate treatment of such crude oil under the entitlements program. These issues are complicated by (1) the unusually large—$5 to $8 per barrel—anticipated cost of transportation of ANS crude oil through the Trans-Alaska Pipeline System ("TAPS"), then by tanker to West Coast ports, and in some cases further by pipeline or other means to mid-continent refineries; and (2) uncertainties concerning the volumes of ANS crude oil that will be transported by various means to different markets. These transportation costs will influence the national average composite price, as they reduce the wellhead price used in composite price computations.

ANS production would not bring a price at the refinery in excess of the landed cost of imported crude oil, which currently is approximately $2.00 per barrel above the average delivered cost for upper tier domestic crude oil. If ANS production were treated as upper tier crude oil under the entitlements program (which results in roughly equivalent costs to the refiner of upper tier and imported crude oil), the wellhead price that could be realized by ANS production would be reduced, under current market conditions, by about $1.50 to $2.00 per barrel. In order to permit ANS production to be priced to the refiner at a level equivalent to that of the landed cost of imported crude oil, thereby to provide higher wellhead prices, it may be necessary to modify entitlements treatment for ANS production to some extent, either with respect to ANS production destined for mid-continent refineries, or with respect to all ANS production.

COMMENTS BY: Monday, March 21, 1977, 4:30 p.m.

ADDRESS TO: Executive Communications, Room 3309, Federal Energy Administration, Box LB, Washington, D.C. 20461.

HEARINGS: 1. *Washington Hearing:* March 21, 1977, 9:30 a.m., Room 3000A, 12th and Pennsylvania Avenue NW., Washington, D.C. 20461.

2. *San Francisco Hearing:* March 22, 1977, 9:30 a.m., Federal Court House, Court Room No. 15, 7th and Mission Streets, San Francisco, CA 94111.

3. *Anchorage Hearing:* March 23, 1977, 9:30 a.m., Federal Court House Bldg., Conference Room 284, 605 W. 4th Ave., Anchorage, Alaska 99501.

REQUESTS TO SPEAK BY: Wednesday, March 16, 1977, 4:30 p.m.

ADDRESS TO: National Office, San Francisco Office, or Anchorage Office, at addresses listed, in Section E, below.

FOR FURTHER INFORMATION CONTACT:

Robert C. Gillette, (202) 254-3345

SUPPLEMENTARY INFORMATION:

A. Background.
B. General Price and Allocation Issues.
C. Adequacy of Assumed Wellhead Price.
D. Other Considerations.
E. Comment Procedures.

A. Background

1. *FEA Crude Oil Price and Allocation Regulations.* The landed cost for imported crude oil (i.e., the cost of acquisition plus transportation to the United States) ranges from about $13.00 per barrel to over $15.00 per barrel, depending upon country of origin, grade and quality of crude oil, and location of the U.S. port. These prices represent a more than four-fold increase in the cost of imports since early 1973. Congress has determined that U.S. domestic crude oil prices should not generally be allowed to rise to the import (world market) level, but should be held at levels which minimize undue inflationary or other harmful effects on the U.S. economy while at the same time provide sufficient incentives to producers to achieve maximum production of domestic crude oil.

Under the EPAA amendments enacted in 1975 by the Energy Policy and Conservation Act, Congress provided FEA with flexibility to control domestic crude oil prices as long as the national weighted average first sale price (composite price) did not exceed $7.66 per barrel applicable to crude oil produced and sold in February, 1976. Beginning in March, 1976, FEA was authorized to increase the statutory composite price to reflect the effects of inflation and to provide production incentives. Under present authority, the statutory composite price is adjusted upward at the rate of 10 percent annually.

Under FEA price regulations adopted to implement the statutory composite price restrictions, domestic crude oil is classified as lower tier (about 50 percent of total production), upper tier (about 36 percent) and stripper well (about 14 percent).

Stripper well crude oil, which is production from properites which have declined to a level of 10 barrels per day per well or less for a 12-month period, is permitted by statutory authority to be sold at market price levels, so as to encourage continued production from such marginal properties for as long as possible. For purposes of the statutory composite price computation, stripper well crude oil is given an imputed value which approximates the average upper tier price. (See, Section 121 of the Energy Conservation and Production Act, enacted August 14, 1976.)

Upper tier crude oil generally includes production from properties which first began producing after 1972 (except those which qualify as stripper well properties), plus incremental production from older properties which exceeds a certain base production level. The upper tier price (an average of $11.64 per barrel at the end of 1976, or roughly $2 below the landed cost of imported crude oil) is generally designted to stimulate additional production from older properties and to encourage further exploration and development of domestic crude oil resources.

The lower tier price, which averaged about $5.17 nationally at the end of 1976, applies to all U.S. production which is not exempt or which does not qualify as upper tier crude oil.

In December, 1976, the latest month for which actual (preliminary) price data is currently available, the actual composite price for domestic crude oil was $8.40. Because this amount exceeded the adjusted statutory composite price for December of $8.24, FEA has taken corrective action to achieve compliance with the composite price restriction by temporarily deferring further increases in lower tier prices and temporarily reducing upper tier prices by 65 cents per barrel through July, 1977 (see 42 FR 13013, March 8, 1977).

While a composite price for domestic crude oil can be easily determined by weight-averaging the first sale prices (or imputed first sale prices) of crude oil under the three price classifications, it is more difficult to achieve an actual marketplace result in which each refiner pays approximately the equivalent of a national average price for all domestic and imported crude oil purchases. Each refiner generally has a different "mix" of lower tier, upper tier, and exempt or imported crude oil, due to historical purchasing patterns and refinery location. Thus, without some kind of compensating or equalizing device, a refiner with access to an above-average proportion of lower tier crude oil, with its lower price, would have a competitive advantage over another refiner that could obtain only higher-priced imported or upper tier crude oil.

The FEA domestic crude oil allocation (entitlements) program is designed to approximately equalize the cost of crude oil purchases among U.S. refiners. Essentially, the entitlements program

(subject to certain qualifications), by requiring transfers of cash through purchases and sales of entitlements among refiners, achieves the same result as if FEA had directly allocated to each refiner a "mix" of lower tier, upper tier, and exempt or imported crude oil that reflected the national supply ratios for each of these pricing categories of crude oil.

Stated another way, the entitlements program operates so that lower tier crude oil, upper tier crude oil, and exempt or imported crude oil all have relatively equivalent effective acquisition costs to the refiner (subject to certain qualifications). Because entitlement benefits and obligations are determined on the basis of average acquisition costs for the category of crude oil concerned, domestic crude oil which has a cost (due to higher than average transportation charges) to the refinery which significantly exceeds the average cost for crude oil of the same tier classification and quality, may not be competitive with imported crude oil of similar quality even though the landed cost of the imported crude oil is significantly higher.

2. *The April 15 Report on ANS Production.* Section 8(g) of the EPAA requires the submission of a report to Congress on April 15, 1977, as to whether the FEA price and allocation regulations "will provide positive price incentives for the development of" ANS production "without lessening needed incentives for sustaining or enhancing crude oil production in the remainder of the United States."

Because the statutory composite price limitation applies to nearly all domestic production, the inclusion of ANS production at upper tier or exempt price levels—or at any other level above the adjusted statutory composite price—would require an offsetting reduction in prices applicable to other controlled domestic production. Thus, the conference report relating to section 8(g) explains that section as requiring a report on "the adequacy of the then-current weighted average (adjusted statutory composite) price to provide positive incentives for the development of Alaska (North Slope) oil production without reducing ceiling prices and production incentives in the lower forty-eight states."

Section 8(g) goes on to provide that if the finding of the report is that the then-current maximum weighted average price is not adequate to provide such positive incentive for domestic production, a proposed regulation amendment may be submitted with the April 15 report (or at a later date) which would exclude from the statutory composite price limitation up to two million barrels per day of crude oil flowing through the Trans-Alaska Pipeline. Any such proposed amendment must include a regulation specifying a ceiling price or prices for such excluded Alaska production, accompanied by findings justifying the level of the proposed ceiling(s), and the average of the proposed ceiling(s) cannot exceed "the highest actual weighted first sale price permitted under (FEA regulations) for significant volumes of any other classification of domestic crude oil." Such a proposed amendment is subject to disapproval by either house of Congress during a period of 15 sessional days.

If such a proposed amendment is disapproved, an additional proposal for exclusion of ANS production from the statutory composite price may be submitted within 30 days. If either the first or second proposal becomes effective, further proposals to modify the ceiling price(s) applicable to ANS production may not be submitted until January 1, 1978, and thereafter at not more frequent intervals than every 90 days.

3. *ANS Production Data.* ANS production is expected to begin flowing into the northern end of TAPS in mid-June, 1977. However, outflow at the southern terminus (Valdez, Alaska) is not expected to occur until August, with the deliveries at West Coast ports anticipated to commence in September, 1977.

It is planned that the initial flow will be at a level of 600,000 barrels per day. A flow rate of 1.2 million barrels per day is expected to be achieved in December, 1977. ANS production is expected to continue at this level through May, 1979, when current crude oil price authority becomes discretionary rather than mandatory under the EPAA. Depending upon further pipeline improvements and additional pumping capacity, a flow of up to 1.6 million barrels per day could be achieved in the early 1980's. A level of up to two million barrels per day might be attained in the mid-1980's, depending upon further exploration and field development in northern Alaska.

Substantial flow volumes, although at declining rates, are expected to be achieved over a period of approximately 25 years. Total recoverable reserves (Prudhoe Bay Field) are currently estimated at between 10 to 12 billion barrels.

Based on domestic crude oil production in 1976 of approximately 8.1 million barrels per day and a continuation of the current rate of decline of "lower 48" production, the ANS 1978 flow rate of 1.2 million barrels per day would represent about 12 to 13 percent of total domestic production.

B. General Price and Allocation Issues

In the absence of special price rules for Alaska North Slope (ANS) production, first sales of that production would qualify for the upper tier price under FEA price regulations since it is all "new" crude oil. Data reported to FEA for domestic crude oil sales in November and December, 1976, indicate average upper tier crude oil first sale prices in the range of $11.62–$11.64 per barrel (in contrast to an average of $5.17 for first sales of lower tier crude oil and an average of $13.30 for first sales of exempt domestic crude oil). As noted, these price levels reflect the "first sale," which normally occurs at the wellhead. In order to provide equivalent treatment for all producers, the "first sale" is one which occurs (or is imputed to occur) in all cases at the wellhead and one which therefore excludes cost of transportation of crude oil beyond the lease or unit from which it was produced.

Assuming that the landed cost on the West Coast of ANS production would not exceed under any circumstances the landed cost of imported crude oil of equivalent quality, ANS production could not be sold at upper tier wellhead prices because the high cost of transportation via pipeline and freighter to West Coast ports would bring the total cost of ANS crude oil to a level more than $3 per barrel in excess of the CIF West Coast price of imported crude oil, at current world market prices. The difference in price is illustrated in the table below.

Table 1

Illustrative ANS price at upper tier wellhead price

Average upper tier price	$11.64
Estimated pipeline (TAPS) tariff	5.00
Estimated transshipment cost to west coast	.76
Total west coast price	17.40

Illustrative import price

Saudi Arabian crude oil f.o.b. Ras Tanura	12.10
Transshipment to west coast	1.43
Import fee	.21
Total west coast price	13.74

Note.—TAPS tariff levels have not yet been officially established. Current estimates range from $4.50 to $6.10/bbl. Intercoastal and international shipping costs vary according to tanker size, length of voyage, and other factors. Crude oil prices may vary according to grade and quality. Thus, cost and price figures used in table 1 and elsewhere in this notice are for purposes of illustration only, in order to facilitate discussion of the issues presented.

It appears, therefore, more appropriate in determining the first sale price for ANS production to use the West Coast market price for imported crude oil of a comparative quality with ANS crude oil as the beginning point of reference and work back toward the wellhead price by subtracting transportation cost elements. Thus—

Table 2

CIF west coast market price	$13.74
Less: Transshipment from Alaska (Valdez) to west coast	.76
Maximum price at Valdez	12.98
Less: Estimated pipeline tariff (TAPS)	5.00
Estimated wellhead price (rounded)	8.00

One option to be considered by FEA is to make no change in the price regulations and thus permit ANS production to be classified as upper tier crude oil, it being understood that market forces and transportation costs would confine ANS wellhead prices to a level significantly below the average upper tier price. This approach would, of course, reduce or increase the actual composite price, depending on whether transportation costs result in the first sale price of ANS crude oil being above or below the

composite price for all other domestic crude oil. (The statutory composite price, $8.24 per barrel in December, 1976, if it continues to increase at an annual rate of 10 percent, will rise to $8.79 by August, 1977.) A reduced actual composite price would generally benefit all producers since it would, at least initially, reduce the actual composite price below the statutory maximum and thus reduce the need for the price reductions or price freezes that FEA has found it necessary to impose in recent months in order to assure that actual composite price remain within the statutory maximum. It might also allow a means of affording additional incentives for domestic production.

However, if ANS production is accorded upper tier classification for purposes of the entitlements program, CIF West Coast prices for ANS crude oil could not be maintained at levels equivalent to CIF West Coast prices for imported crude oil, because the entitlements program affords imported crude oil a significantly higher entitlement value than upper tier crude oil. If ANS crude oil is to be priced at levels comparable to imported crude oil, it would therefore appear that the entitlements regulations would have to be modified to afford ANS production an entitlement value equal to that of imported crude oil. Comment on this approach is requested.

Another alternative would be to assume the average acquisition cost for upper tier crude oil (approximately $11.64 in December, 1976) as the West Coast refinery price and determine the wellhead price by subtracting intercoastal transshipment and Alaskan pipeline tariff costs. ANS production would thus receive upper tier entitlements treatment under FEA regulations. However, the ANS wellhead price under this approach would approximate the lower tier price average, a level which may not provide sufficient returns to ANS producers to assure full development of ANS production (see next section). Comment on this alternative is requested.

Still another alternative might be to provide a ceiling price for ANS crude oil equal to the maximum composite price under the EPAA. This would serve to protect against the eventuality that the gap between upper tier and imported crude oil might widen to such an extent that ANS crude oil would be priced higher than the composite price. Entitlements treatment would be as an import or, if necessary, as a separate tier.

As already noted, section 8(g) of the EPAA permits the submission of an "energy action" to exclude up to two million barrels a day of ANS crude oil production from the actual composite price computation and to establish an ANS ceiling price which does not exceed the ceiling price for "significant volumes of any other classification of domestic crude oil." However, the submission of such an energy action is conditioned upon a finding that the price required to provide positive price incentives for development of ANS production would have the effect (because of the composite price limitation) of reducing or limiting ceiling prices for other domestic crude oil to levels which would result in less production of such crude oil than would otherwise occur. In view of the foregoing analysis, indicating that inclusion of ANS production as upper tier crude oil under current market conditions would probably not have a negative impact on the actual composite price calculation and would not therefore operate to reduce production of other domestic crude oil, comment is requested on the appropriateness of a request for exclusion from the statutory composite price under EPAA section 8(g) at this time.

Prior to the four-fold increase in the price of imported crude oil during 1973–74, it was expected that all ANS production would be used in Petroleum Administration for Defense ("PAD") District No. 5, consisting of Alaska, Hawaii, Washington, Oregon, California, Nevada and Arizona, to meet rising demand and as import replacement. However, substantially higher prices for imported and domestic crude oil, a slow-down in economic growth in the 1974–75 period, and other factors have significantly reduced current and project demand for petroleum products in PAD District 5. In addition, the rate of decline in crude oil production in PAD District 5 (as well as in other regions) has not been as great as anticipated in 1973, perhaps because of the increased incentives created by higher prices, and unanticipated production from the Elk Hills Naval Petroleum Reserve. Offshore drilling activities have also increased West Coast crude oil supplies. Simultaneously, for a variety of reasons, the substantial degree of refinery conversion that would be necessary on the West Coast to process ANS production and was predicted in 1973 has not occurred. Finally, due to refinery limitations in PAD District 5, it is expected that 300 to 500 thousand barrels per day of imported crude oil will continue to be needed in PAD District 5 in the 1978 to 1980 period. FEA now estimates that approximately 35 to 50 percent of ANS production will be surplus to PAD District 5 needs between 1978 and 1980, due to significantly altered PAD District 5 supply/demand projections since 1973.

It is expected that most of ANS production in excess of PAD District 5 needs will initially be transported by tanker to the Gulf Coast and later via pipeline systems to Northern Tier, Midwest and Gulf Coast refiners. The cost for such additional transportation to the mid-continent is expected to be $1.50 to $2.25, depending upon the transportation alternative selected and distance to the refinery concerned. To the extent this incremental cost exceeds the incremental cost of delivery of imported crude oil from Gulf Coast ports to the refinery gate (including import fees), the wellhead price must be further reduced below the average upper tier price level for the refinery-gate price to remain competive in mid-continent markets.

As noted in the discussion of sales of ANS production in PAD District 5 markets, treatment of ANS production as upper tier crude oil results in a competitive disadvantage to ANS production compared with imported crude oil, assuming equivalent costs to the refiner, because of the significant entitlement advantage to be gained from purchasing imported crude oil. Therefore, it appears that ANS production destined for the mid-continent market would have to be treated as uncontrolled crude oil for purposes of the entitlements program, if it is to be priced in those markets at levels comparable with costs of imported crude oil. Comments are requested on this approach for mid-continent markets for ANS production.

Comment is also requested on the authority of FEA to afford one kind of entitlements treatment to ANS production to be refined in mid-continental regions and another to ANS production for consumption in PAD District 5, if deemed necessary to achieve the goals of the EPAA concerning development of ANS production in particular and equitable allocation of crude oil at equitable prices in general. Such differential entitlements treatment would serve to "equalize" the transportation cost differential between the West Coast and the mid-continent. The current difference between the average cost of upper tier crude oil and the average landed cost of imported crude oil approximates this transportation differential only by happenstance, however, and differenetial entitlements treatment to alleviate transportation cost disparities might ultimately lead to a fourth tier in the entitlements program.

C. Adequacy of Assumed Wellhead Prices

The preceding section examined issues arising from an assumed refinery acquisition cost for ANS production which is at or below the cost of imported crude oil to the refiner. This section explores the question of the adequacy of the price at the wellhead if ANS production is sold to refiners at or near world market price levels.

As noted, if the refinery acquisition cost for imported crude oil is about $13.74 per barrel (CIF West Coast market price), under the assumption that adjustments to the entitlements program are made which would permit ANS production to be sold at comparable price levels, then the wellhead price derived from subtracting assumed TAPS tariff and intercoastal shipping charges would be $8.00 per barrel. If no such adjustments to the entitlements program are made, the West Coast refinery acquisition price for ANS production would drop to the vicinity of $12.00 per barrel, and the assumed wellhead price would correspondingly drop to the vicinity of $6.25 per barrel. Due to the extra transportation charges to mid-continent refineries, the well head price could be as low as $4.00 to $4.75 per barrel without special entitlement adjustments and perhaps $6.00 to $6.75 per barrel with entitle-

ment adjustments, with respect to the estimated 35–50 percent of ANS production that is expected to be in excess of PAD District 5 demand.

Under the assumption that regulatory changes will permit ANS production to be treated as imports under the entitlements program in both PAD District 5 and non-PAD District 5 domestic markets, the average wellhead price would appear to be in the vicinity of $7.50 per barrel, under current cost and price assumptions. FEA requests comment on the adequacy of the foregoing alternative price levels to provide an adequate rate of return to producers and to encourage further development of ANS and other Alaskan reserves.

A report prepared for FEA by Mortada International suggested that a rate of return of about 12 percent (discounted cash flow, after-tax real rate of return) on investments in the field plus TAPS would be appropriate and would be provided by a wellhead price between $6.50 and $7.40 per barrel as long as the price continues to be adjusted for inflation.

(The Mortada Study was prepared under contract to the FEA and does not necessarily state or reflect the views, opinions, or policies of FEA. The study, entitled, "The Determination of Equitable Pricing Levels for North Slope Alaskan Crude Oil," dated November, 1976, may be obtained at the FEA Press Room, Room 3138, 1200 Pennsylvania Ave., NW., Washington, D.C. In addition, copies may be obtained by writing to FEA, Office of Communications and Public Affairs, Publications Distribution Center, Washington, D.C. 20461. Copies will also be made available at the FEA regional offices in San Francisco and Anchorage.)

Although somewhat higher rates of return are sometimes expected for higher-risk "frontier" exploration and development activity such as that on the Alaskan North Slope, the Mortada study indicated that the risk factor connected with industry activity on the North Slope was lessened by the intensive exploration program carried out by the Department of the Navy in Naval Petroleum Reserve No. 4 ("NPR No. 4") prior to 1953. (NPR No. 4 is adjacent to the Prudhoe Bay Field to be served by the Trans-Alaska Pipeline.) This NPR No. 4 program contributed significantly to the geological knowledge of the North Slope, according to the Mortada study. Comments on this assertion are requested.

The rate of return suggested by the study was also influenced by the fact that the ANS exploratory program of the early 1960s may still yield new discoveries in the North Slope region.

The Mortada study takes into account the fact that the principal ANS crude oil field (the Prudhoe Bay Field) consists of three principal hydrocarbon accumulations: (1) the largest accumulation, Prudhoe Oil Pool (includes the Sadlerochit formation), upon which current development plans are exclusively centered; (2) the Lisburne Oil Pool, which underlies the Prudhoe Pool; and (3) the Kuparuk Oil Pool, a separate reservoir overlying the Prudhoe Oil Pool. Only crude oil from the Prudhoe Oil Pool will flow through the Trans-Alaska Pipeline during the first three years of operation. To obtain flow in excess of 1.6 million barrels per day it will be necessary to develop the Kuparuk and Lisburne reservoirs. The Mortada study suggests that the rate of return of about 12 percent is sufficient to result in timely development of the more costly and speculative Kuparuk and Lisburne reservoirs without special price incentive. Comment on this view is requested.

D. Other Considerations

Much of the price, cost, demand and supply data and projections upon which FEA currently relies in connection with ANS production is contained in an FEA draft study entitled "An analysis of the alternatives available for the transportation and disposition of Alaskan North Slope Crude." This study, which is dated November 29, 1976, is available to the public on the same basis as the Mortada study, discussed in the preceding section.

Interested persons may comment on any of the assumptions or projections of the FEA study in response to this notice. However, comment is particularly requested in response to the following specific questions.

1. What are planned TAPS flow levels for 1977–1981? (Estimated on a monthly basis, if possible.)

2. What are the anticipated shipping tariffs for the 1977–1981 period for (1) the Trans-Alaskan Pipeline System to Valdez; and (2) tanker movement from Valdez to (a) Puget Sound, (b) San Francisco, (c) Los Angeles, and (d) the Gulf Coast?

3. What are the total daily volumes of ANS crude oil which are expected to be used in each of the above domestic destinations over time?

Expected daily volume

Market	December 1977	June 1978	December 1978	June 1979	December 1979	June 1980	December 1980	June 1981	December 1981
Puget Sound									
San Francisco									
Los Angeles									
Gulf Coast									
Other									
Total									

4. Will there be sufficient U.S. flag tanker capacity to supply all of the forecasted volume to all of the markets shown in the response to Question 3?

5. Please identify the crudes that will be supplanted by North Slope crudes. FEA requests information as to which imported crudes will be supplanted, which imported crudes will not be supplanted, and whether or not any domestic crudes are expected to be supplanted.

6. Assuming current OPEC prices and treatment for entitlement purposes as uncontrolled crude oil, what are the anticipated wellhead and Valdez prices through September 1981? These estimates should be made in current dollars, without assuming any increases in domestic or foreign crude prices.

Anticipated prices

Market	December 1977	June 1978	December 1978	June 1979	December 1979	June 1980	December 1980	June 1981	December 1981
Wellhead									
Valdez									
Puget Sound									
San Francisco									
Los Angeles									
Gulf Coast									
Other									
Total									

7. What is the effect on the information provided in Question 6 assuming ANS crude oil is upper tier for entitlements and pricing purposes.

8. Should ANS crude oil be included in the domestic composite price? What effect will its inclusion have on the production and use of all other domestically produced crudes?

9. What limitations of refineries in PAD District 5, or elsewhere, are expected to restrict the refining of ANS crude oil? What is the estimated cost of modifications to reduce any limitations? Are there any regulatory impediments to making such modifications?

10. What would be the effect if (1) all ANS crude oil is treated as imported crude oil for entitlements purposes, or (2) only ANS crude oil delivered to mid-continent refineries is treated as imported crude oil?

11. Is the assumption valid that the refinery acquisition cost for ANS production could not exceed the price of imported oil in order to be competitive? Is ANS production likely to create upward pressures on the landed cost of imported oil?

12. Is it necessary or appropriate, in order to insulate the U.S. as much as possible from arbitrary OPEC price increases and to carry out the letter and spirit of the EPAA, to put a regulatory cap on ANS production prices?

13. What would be the effect, either in Alaska or at Elk Hills or elsewhere in California, of shutting in production that exceeds amounts that can be refined in PAD District 5?

14. How does the quality of ANS crude oil compare with the average quality of imported crude oil and the average quality of upper tier domestic crude oil? Would adjustments in the entitlements program to take into account the uniform quality of ANS crude oil be necessary?

E. COMMENT PROCEDURES

1. *Written Comment.* Interested persons are invited to participate in this inquiry by submitting data, views or arguments with respect to the issues set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box LB, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Alaska North Slope Price and Entitlements Issues." Fifteen copies should be submitted. All comments received by Monday, March 21, 1977, before 4:30 p.m. will be considered.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to that determination.

2. *Public Hearings.* FEA has determined that in addition to holding a public hearing in this proceeding in Washington, D.C., public hearings will also be held in FEA Regions X (Anchorage, Alaska) and IX (San Francisco, California).

a. *National Hearings.* The Washington, D.C. hearing (the "National hearing") will be held beginning at 9:30 a.m. on Monday, March 21, 1977 and continued, if necessary, on Tuesday, March 22, 1977, in Room 3000A, 12th and Pennsylvania Avenue NW., Washington, D.C., 20461, in order to receive comments from interested persons on the matters set forth herein. Any person who has an interest in this matter, or who is a representative of a group or class of persons that has an interest in this matter, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m. on Wednesday, March 16, 1977. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Requests should be submitted in accordance with the "Request Procedures" set forth below.

b. *Regional Hearings.* The San Francisco regional hearing will be held at 9:30 a.m., Tuesday, March 22, 1977, at the location specified below, and will be continued, if necessary, on Wednesday, March 23, at the same location. The Anchorage regional hearing will be held at 9:30 a.m., Wednesday, March 23, 1977, at the location specified below, and will be continued, if necessary, on Thursday, March 24, 1977 at the same location. Any person who has an interest in this matter today or who is a representative of a group or class of persons that has an interest in this matter may make a written request for an opportunity to make an oral presentation. Such a request should be directed to FEA at the address given below for the appropriate Region, and in accordance with the "Request Procedures" set forth below. Requests must be received before 4:30 p.m. on Wednesday, March 16, 1977.

Region	Submit requests to testify to—	Hearing location
IX. San Francisco, Calif.	FEA Regional Administrator, attention: R. Laffel, External Affairs Division, 111 Pine St., San Francisco, Calif. 94111.	Federal Court House, court room No. 15, 7th and Mission Sts., San Francisco, Calif. 94111.
X. Anchorage, Alaska.	Federal Energy Administration, Subregional Office G-11, Federal Office Bldg., 605 West 4th Ave., Anchorage 99501.	Conference room 284, Federal Court House Bldg., 605 West 4th Ave., Anchorage 99501.

c. *Request procedures.* The following request procedures are applicable to both the National and Regional Hearings. Persons requesting an opportunity to make an oral presentation should submit their written requests to the appropriate address for the region in which they wish to appear. Requests should be labeled both on the document and on the envelope "Alaska North Slope Price and Entitlements Issues."

The person making the request should be prepared to describe the interest concerned, if appropriate, to state why he is a proper representative of a group or class of persons that has such an interest, and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through Friday, March 18, 1977. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., Thursday, March 17, 1977, and must, if feasible, submit 100 copies of his statement to Executive Communications, FEA, Room 3309, 12th and Pennsylvania Avenue NW., Washington, D.C. 20461, before 9:00 a.m. on Monday, March 21, 1977, for the National hearing, and to the location of the hearing on the day the statement is scheduled to be presented for the Regional hearings.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or enidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desired, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any person who wishes to ask a question at the National or Regional hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection at the Freedom of Information Office, Room 2107, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133, Pub. L. 94-163, and Pub. L. 94-385; Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended, Pub. L. 94-385; Energy Policy and Conservation Act, Pub. L. 94-163, as amended, Pub. L. 94-385; E.O. 11790, 39 FR 23185.)

Issued in Washington, D.C., March 7, 1977.

ERIC J. FYGI,
Acting General Counsel,
Federal Energy Administration.

[FR Doc. 77-7082 Filed 3-7-77;1:46 am]

COMMODITY FUTURES TRADING COMMISSION

[17 CFR Part 4]

COMMODITY POOL OPERATORS

Proposed Comprehensive Scheme for Regulation; Correction

On February 9, 1977, the Commodity Futures Trading Commission ("Commission") issued a proposed comprehensive scheme for regulation of commodity pool operators, proposed Part 4 of the Commission's regulations. 42 FR 9266

(February 15, 1977). An inadvertent clerical error resulted in the omission of several lines from proposed regulation 4.4 (Record keeping by commodity pool operators).

At 42 FR 9274–5, Proposed regulation 4.4 (b) and (c) should read as follows:

§ 4.4 Record keeping by commodity pool operators.

* * * * *

(b) *Retention of certain documents.* Each commodity pool operator shall retain a copy of each statement of account, report, letter, circular, memorandum, publication, writing, advertisement or other literature or advice distributed or caused to be distributed by such commodity pool operator to any pool participant or prospective pool participant or received by such commodity pool operator from any commodity trading advisor with which the commodity pool operator or any pool maintains an advisory services contract.

(c) *Availability of trading record.* The records required to be kept by paragraphs (a) of this section must be made available to any pool participant for inspection and copying during normal business hours at the principal business office of the commodity pool operator immediately upon his request. Copies of any portion of these records requested by any pool participant must be furnished immediately to such pool participant, subject to the payment of reasonable reproduction and distribution costs.

Issued in Washington, D.C., on March 3, 1977, by the Commission.

WILLIAM T. BAGLEY,
Chairman Commodity Futures Trading Commission.

[FR Doc.77-6964 Filed 3-8-77;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 210, 240]

[Release No. 34-13309]

LIFE INSURANCE COMPANIES

Quarterly Reporting Requirements

BACKGROUND

On September 20, 1976 the Commission issued Accounting Series Release No. 197 (41 FR 42645) adopting amendments of rules to require increased disclosure of interim financial data by life insurance companies and related holding companies.

Subsequent to publication of the release three errors were noted in the text of the amendments adopted. This release proposes to correct those errors. In addition, a technical amendment relating to foreign private issuers which file Form 6-K (§ 249.306) rather than Form 10-Q (§ 249.308a) is proposed.

The first proposed correction is in Regulation S-X, Rule 3-16(t) (17 CFR 210.3-16) in which the reference in paragraph (1)(i)(C)(*v*)(*a*) to subsection (d) should be changed to subsection (*iv*).

The other changes relate to the exemptions from the requirements to file quarterly reports on Form 10-Q in Rules 13a-13 and 15d-13 under the Securities Exchange Act of 1934 (17 CFR 240.13a-13 and 240.15d-13). The Commission's intention when issuing ASR 197 was to require "actively traded" life insurance companies and related holding companies to begin filing Form 10-Q in 1977 and other life insurers in 1978 (with a reconsideration of these less actively traded companies by September 30, 1977). Actively traded for these purposes was to include those "listed" life insurance companies (with securities registered under section 12(b) of the Securities Exchange Act of 1934) and those companies whose shares are traded over-the-counter which meet the specific criteria of Rule 3-16(t) (17 CFR 210.13-16(t)). An error was made in drafting the exemptive language of Rules 13a-13 and 15d-13 (17 CFR 240.13a-13 and 15d-13). As presently written these rules could be interpreted to not require the filing of Form 10-Q by life insurance companies and holding companies having only life insurance subsidiaries which are listed on a national exchange (i.e., section 12(b) securities). This interpretation was not the Commission's intent; however, because a change to these rules technically changes the reporting responsibilities of the "listed" life insurers, this proposal for comments has been issued.

Because the impact of these corrections is limited to only a few companies, and because the Commission's intent to require life insurance companies and their related holding companies whose securities are registered under section 12(b) of the Securities Exchange Act of 1934 (i.e., listed on a national exchange) to file Form 10-Q's beginning in 1977 was previously expressed in ASR 197, the Commission does not propose to change the effective date of the requirements of Rules 13a-13 and 15d-13 (17 CFR 240.-13a-13 and 15d-13). As previously published the requirements of these rules regarding life insurance companies and related holding companies are effective for reports filed for quarterly periods in fiscal years beginning after December 25, 1976.

TECHNICAL AMENDMENT

The impact of the disclosure requirements of Rule 3-16(t) (17 CFR 210.3-16) on certain foreign private issuers was unforeseen at the time of its adoption.

Rule 15d-13 (17 CFR 240.15d-13) provides for an exemption from Form 10-Q reporting for registrants subject to the reporting requirements of Form 6-K. Rule 15d-16 (17 CFR 240.15d-16) governs the applicability of Form 6-K and requires reporting thereon by "every foreign private issuer," with several enumerated exceptions. Form 6-K calls for reporting to the Commission on a current basis of certain information, including interim financial information, which has been made public pursuant to foreign law, filed with a foreign stock exchange, or distributed to the security holders. Thus, foreign registrants, with a few limited exceptions, are not required to report interim financial information on Form 10-Q, nor on Form 6-K unless the information has otherwise been compiled and made available to the specified parties.

The Commission believes that foreign private issuers should not be required to provide data pursuant to Rule 3-16(t) (17 CFR 210.3-16) that they do not otherwise provide. An amendment to the rule by addition of new paragraph (t)(6), is therefore proposed to exempt foreign registrants from the application of that rule, except to the extent that the information called for in the rule has been furnished the Commission. Thus amended, the rule will require disclosure in the annual reports of foreign registrants of interim financial information required to be reported to the Commission on Form 6-K. The content of the disclosures will conform to the extent practicable with the existing requirements of paragraphs (1) through (4) of Rule 3-16(t).

PROPOSED AMENDMENTS

Commission actions. The Commission hereby proposes to amend § 210.3-16 and § 240.13a-13 and 15d-13, Title 17, Chapter II, Code of Federal Regulations, as given below.

1. In Part 210 (Regulation S-X), § 210.3-16 is proposed to be amended by changing the reference to (d) in paragraph (t)(1)(i)(C)(*v*)(*a*) to (*iv*) and adding a new paragraph (t)(6) as follows:

§ 210.3-16 General notes to financial statements. (see Release No. AS-4.)

* * * * *

(t) * * *

(6) Paragraphs (t)(1) through (t)(4) of this section shall not apply to a foreign private issuer not required to report quarterly financial information on Form 10-Q (§ 249.308a of this chapter: *Provided, however,* That a foreign registrant which reports or is required to report interim financial information on Form 6-K (§ 249.306 of this chapter) shall disclose such data in the manner provided in paragraphs (t)(1) through (t)(4) of this section with respect to the financial information reported on Form 6-K.

2. In Part 240, § 240.13a-13 and § 240.15d-13 would be amended by revising paragraphs (b)(3) thereof to read as follows:

§ 240.15d-3 Quarterly reports on Form 10-Q (§ 249.308a of this Chapter).

* * * * *

(b) * * *

(3) Life insurance companies and holding companies having only life insurance subsidiaries for quarters in fiscal years ending on or before December 25, 1978, if they do not meet the tests specified in paragraph (t)(1)(i) of §210.3-16; or

* * * * *

If adopted these amendments would be effective when issued.

These amendments would be adopted pursuant to authority in sections 12, 13, 15(d) and 23(a) (15 U.S.C. 78*l*, 78o(d) and 78w) of the Securities Exchange Act of 1934. Pursuant to section 23(a)(2) of the Exchange Act the Commission has considered the effect that the proposed amendments would have on competition and is not aware, at this time, of any burden that such amendments, if adopted, would impose on competition not necessary or appropriate in furtherance of the purposes of that Act. However, the Commission specifically invites comment as to the anticompetitive effects, if any, the proposals likely would engender.

All interested persons are invited to submit their views or comments on these proposed amendments to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, on or before April 15, 1977. Such communications should refer to File No. S-7679 and will be available for public inspection.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

FEBRUARY 28, 1977.

[FR Doc.77-6945 Filed 3-8-77;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[24 CFR Part 16]

[Docket No. R-77-350]

PRIVACY ACT OF 1974

Proposed Implementation

On August 28, 1975, the Department of Housing and Urban Development (hereinafter "Department") published in the FEDERAL REGISTER (40 FR 39729) an Interim Rule creating Part 16 of Subtitle A of Title 24 of the Code of Federal Regulations and implementing the Privacy Act of 1974, Pub. L. 93-579. This Rule was adopted on April 1, 1976, at 41 FR 13917.

The Department hereby proposes to amend Part 16 of Subtitle A of Title 24 of the Code of Federal Regulations as follows:

1. The Department proposes to amend § 16.12(a)(3) so as to permit the Department to charge a fee when an individual requests voluminous records covered by the United States Civil Service Commission's Government-wide published notice of systems of records and the cost of copying such records would be in excess of five dollars.

2. The Department proposes to amend § 16.12(c) so that payment of fees under the Department's Privacy Act Regulations will be made payable to the "Treasurer of the United States" rather than the "U.S. Department of Housing and Urban Development". The proposed amendment also would eliminate the requirement that copying fees must necessarily be paid by individuals before copying will be undertaken.

Interested persons may submit written data, views, or arguments in regard to these proposed amendments to the Rules Docket Clerk, Office of the Secretary, Room 10141, Department of Housing and Urban Development, 451 7th Street S.W., Washington, D.C. 20410 on or before April 7, 1977.

All written comments received through said date will be considered by the Department in determining whether publication of this proposed amendment would be in the public interest.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969 has been made in accordance with HUD Handbook 1390.1. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours at the address set forth in the preceding paragraph.

Therefore, the Department proposes the following changes:

1. The Department proposes to amend § 16.12 (a) (3) and (c) of Title 24 of the Code of Federal Regulations to read as follows:

§ 16.12 Fees.

(a) * * *

(3) As requested by the United States Civil Service Commission in its published regulations implementing the Act, the Department will charge no fee to an individual who requests copies of a personnel record covered by that Commission's Government-wide published notice of systems of records: *Provided, however,* That when such records are voluminous and the cost would be in excess of five dollars ($5.00), the Department may, at its discretion, charge a fee.

* * * * *

(c) Payment of fees under this section shall be made in cash, or preferably by check or money order payable to the "Treasurer of the United States," and it shall be paid or sent to the office stated in billing notice or, if none, to the Privacy Act Officer processing the request. Where appropriate, payment may be required in the form of a certified check. Postage stamps will not be accepted.

(5 U.S.C. 552a, 88 Stat. 1896; sec 7(d), Department of HUD Act (42 U.S.C. 3535(d)).)

NOTE.—It is hereby certified that the economic and inflationary impacts of this proposed rule have been carefully evaluated in accordance with OMB Circular A-107.

Issued at Washington, D.C., on March 2, 1977.

PATRICIA ROBERTS HARRIS,
Secretary, Department of Housing and Urban Development.

[FR Doc.77-6951 Filed 3-8-77;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 43n]

GRAND RIVER OTTAWA INDIAN BLOOD

Preparation of a Roll of Persons To Be Used as Basis To Distribute Judgment Funds

FEBRUARY 25, 1977.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that it is proposed to add a new Part 43n to Subchapter F, Chapter I of Title 25 of the Code of Federal Regulations. This addition is proposed pursuant to the authority contained in the Act of October 18, 1976 (90 Stat. 2503), governing preparation of a roll of persons of Grand River Ottawa Indian blood to be used as the basis to distribute judgment funds awarded the Grand River Band of Ottawa Indians in Indian Claims Commission docket 40-K.

The purpose of the new Part 43n is to establish procedures to govern preparation of a roll, as provided in the Act, of persons of Grand River Ottawa Indian blood to be used as the basis to distribute the judgment funds.

Section 43n.4 of the regulations provides that applications are to be filed with the Michigan Agency in Sault Ste. Marie, Michigan rather than with the Great Lakes Agency as specified in the Act. The Michigan Agency was established from within the jurisdiction formerly administered by the Great Lakes Agency when the legislation was introduced. The Solicitor's office has advised that since Congress in designating the Great Lakes Agency as the agency to receive applications simply intended that the agency most convenient for the applicants would be used for that purpose that the now more convenient Michigan Agency may be used to receive the applications rather than the Great Lakes Agency.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding these proposed regulations to the Director, Office of Indian Services, Attention: Tribal Government Services, Bureau of Indian Affairs, Washintgon, D.C. 20245, on or before April 8, 1977.

It is proposed to add a new Part 43n to Subchapter F of Chapter I of Title 25 of the Code of Federal Regulations to read as follows:

PART 43n—PREPARATION OF A ROLL OF PERSONS OF GRAND RIVER OTTAWA INDIAN BLOOD TO BE USED AS THE BASIS TO DISTRIBUTE JUDGMENT FUNDS

Sec.

43n.1 Definitions.
43n.2 Purpose.
43n.3 Qualifications for enrollment.

Sec.
43n.4 Filing of applications and deadline for filing.
43n.5 Burden of proof.
43n.6 Action by the Superintendent.
43n.7 Appeals.
43n.8 Preparation of the roll.
43n.9 Certification and approval of the roll.
43n.10 Special instructions.

AUTHORITY: 90 Stat. 2503.

§ 43n.1 Definitions.

(a) "Act" means the Act of October 18, 1976 (90 Stat. 2503), which directs the Secretary of the Interior to prepare the roll of the Grand River Band of Ottawa Indians.

(b) "Secretary" means the Secretary of the Interior or his authorized representative.

(c) "Commissioner" means the Commissioner of Indian Affairs or his authorized representative.

(d) "Area Director" means the Area Director, Minneapolis Area Office or his authorized representative.

(e) "Superintendent" means the Superintendent of the Michigan Agency.

§ 43n.2 Purpose.

The regulations in this part govern the preparation of a roll of persons who possess Grand River Ottawa Indian blood to be used to distribute the judgment funds awarded the Grand River Band of Ottawa Indians in Indian Claims Commission docket 40–K.

§ 43n.3 Qualifications for enrollment.

The roll shall contain the names of persons who meet the following requirements:

(a) They were born on or prior to and living on October 18, 1976;

(b) Their name or the name of a lineal ancestor through whom they claim eligibility appears as a Grand River Ottawa on the roll of the Ottawa and Chippewa Tribe of Michigan, Durant Roll of 1908, containing the Commissioner's recommendation that it be approved except for those persons listed opposite numbers 747, 1331, 2437, 3957, 4462, 4684, 6151, 6273, 6275, 6496, 6525, 7028, 7035 and 7168, and those persons whose names are checked in red pencil, indicating descendants of half-breeds or mixed bloods, and in blue pencil, indicating persons who affiliated with, received rights or were enrolled members of other tribes, approved by the Secretary on February 18, 1910, with the Commissioner's recommendation, or on any available census rolls or other records acceptable to the Secretary;

(c) They possess one-fourth degree or more Grand River Ottawa Indian blood;

(d) They are citizens of the United States; and,

(e) They file or have filed in their behalf applications for enrollment within the time specified in § 43n.4.

(f) In the absence of proof to the contrary, for the purposes of determining degree of Grand River Ottawa blood, all persons named as Grand River Ottawas on the Durant Roll of 1908 with the exceptions specified in paragraph (b) of this section shall be considered as possessing 4/4 degree Grand River Ottawa Indian blood.

§ 43n.4 Filing of applications and deadline for filing.

(a) Application forms may be obtained from the Superintendent, Michigan Agency, Bureau of Indian Affairs, Sault Ste. Marie, Michigan 47983. Completed applications must be received by the Superintendent by close of business on September 2, 1977.

(b) Applications received after that date will be denied for failure to file in time regardless of whether the applicants otherwise meet the requirements for enrollment.

§ 43n.5 Burden of proof.

The burden of proof rests upon the applicant to establish his eligibility for enrollment. Documentary evidence such as birth certificates, baptismal records, copies of probate findings or affidavits may be used to support claims for enrollment. Records of the Bureau of Indian Affairs may also be used to establish eligibility.

§ 43n.6 Action by the Superintendent.

The Superintendent must notify rejected applicants by certified mail, addressee only, return receipt requested, explaining the reason for the adverse action and advising them of their right to appeal to the Secretary.

§ 43n.7 Appeals.

Appeals from rejected applicants must be in writing and filed pursuant to Part 42 of this subchapter, a copy of which will be furnished with each notice of rejection.

§ 43n.8 Preparation of the roll.

The roll shall contain for each person a roll number, name, address, sex, date of birth, and, when applicable, the roll number and name and relationship of applicant to ancestor through whom eligibility is established.

§ 43n.9 Certification and approval of the roll.

The Superintendent shall attach a statement to the roll certifying that to the best of his knowledge and belief the roll contains only the names of those persons who meet the requirements for enrollment. The roll shall be submitted to the Area Director for approval.

§ 43n.10 Special instructions.

To facilitate the work of the Superintendent the Commissioner may issue special instructions not inconsistent with the regualtions in this part.

RAYMOND V. BUTLER,
Acting Commissioner of Indian Affairs.

[FR Doc.77-7000 Filed 3-8-77;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

[32 CFR Part 865]

AIR FORCE DISCHARGE REVIEW BOARD

Proposed Revision

The title of Subchapter G—Boards, is changed to "Organization and Mission—General."

The Department of the Air Force proposes to revise Subpart B of Part 865, Subchapter G, Chapter VII of Title 32 CFR. The revision explains the use of case summaries and investigative reports; requires applicants to submit contentions and/or isues of fact, law, or discretion via DD Form 293 prior to Board consideration; amplifies review process used by the Board; changes Board decision announcements to include names and votes of Board members, statements of findings and conclusions on all issues relevant to the appeal, and statement of the reasons for the findings and conclusions; establishes a public reading room containing Board decisional announcements indexed by contentions raised during the review process.

Interested persons are invited to comment on the proposed rulemaking on or before April 7, 1977. Data, views, arguments concerning the proposal must be submitted in writing to Colonel Lee, Principal Assistant for Discharge Review Matters, Office of the Secretary of the Air Force (Personnel Council), Commonwealth Building, 1300 Wilson Boulevard, Room 920, Arlington, Virginia 22209. Comments and suggestions submitted will be available for public inspection and copying at the above address.

The revised subpart will read as follows:

Subpart B—Air Force Discharge Review Board

Sec.

865.100 Purpose.
865.101 Statutory authority.
865.102 Organization and purpose of the board.
865.103 Jurisdiction and authority.
865.104 Application for review.
865.105 Board meetings and locations.
865.106 Procedures for hearings.
865.107 Findings, conclusions, and reasons.
865.108 Disposition of proceedings.
865.109 Public disclosures.
865.110 Approval of exceptions to directive.
865.111 Procedures for regional boards.
865.112 Guidance sheet.

AUTHORITY: Sec. 8012, 70A, Stat. 488, Sec. 1553, 72 Stat. 1267, 10 U.S.C. 8012, 1553.

Subpart B—Air Force Discharge Review Board

§ 865.100 Purpose.

This Subpart explains the jurisdiction, authority, and actions of the Air Force Discharge Review Board. It applies to all Air Force activities. This Subpart is affected by the Privacy Act of 1974. The system of records cited in this Subpart is authorized by 10 U.S.C. 1553 and 8012. Each data gathering form or format

which is required by this Subpart contains a Privacy Act Statement, either incorporated in the body of the document or in a separate statement accompanying each such document.

§ 865.101 Statutory authority.

The Air Force Discharge Review Board (hereafter called the "Board") was established within the Department of the Air Force under section 301 of the Serviceman's Readjustment Act of 1944, as amended (now 10 U.S.C. 1553). The authority for actions set out in § 865.103 (b) (1) is derived from discretionary authority conferred upon the Secretary of the Air Force under 10 U.S.C. 508(a).

§ 865.102 Organization and purpose of the board.

The Board, a part of the Secretary of the Air Force Personnel Council, is administered and supervised by the Council's Director. An administrative agency, it reviews the discharge (other than a discharge by sentence of a general court-martial) of former military personnel, on its own motion or at the request of a former military member or his or her appropriate representative.

§ 865.103 Jurisdiction and authority.

The Board has jurisdiction and authority in cases of former military personnel who, at the time of their separation from the Service, were members of the U.S. Army aviation components (Aviation Section, Signal Corps; Air Service; Air Corps; or Air Forces) or the U.S. Air Force. The Board does not have jurisdiction and authority concerning personnel of other arms and services who, at the time of their separation, were assigned to duty with the Army Air Forces or the U.S. Air Force.

(a) The Board's review is based on the former member's available military records, contentions submitted by the applicant, and on any other evidence that is presented to the Board. The review, as accorded the applicant by law, is not an adversary proceeding to relitigate the reasons for the applicant's separation. The Board determines whether the type of discharge the former serviceman or woman received is equitable and proper; if not, the Board instructs the U.S.A.F. Military Personnel Center to change the discharge or to issue a new discharge according to the Board's findings. The Board's determination is subject to review by the Secretary of the Air Force.

(b) The Board is not authoized to revoke any discharge, to reinstate any person who has been separated from the military service, or to recall any person to active duty. However, if an applicant was discharged from his or her last period of Air Force service under conditions which would bar his re-entry, the Board may restore the applicant's eligibility to enlist (actual enlistment would be subject to the needs of the service).

(c) The Board, on its own motion, may review a case that appears likely to result in a decision favorable to the former military member, without the member's knowledge or presence. In this case, if the decision is: (1) Favorable, the Board directs AFMPC/DPM to notify the former member accordingly at the member's last known address; (2) unfavorable, the Board returns the case to the files without any record of formal action. If the former member later files an application for review, the Board then reconsiders the case without prejudice.

§ 865.104 Application for review.

An application for review must be submitted within 15 years after the effective date of the former member's discharge, subject to exceptions in § 865.106(h).

(a) The applicant submits a single copy of DD Form 293, Application for Review of Discharge or Separation from the Armed Forces of the United States, with supporting affidavits and other evidence.

(b) The spouse, next-of-kin, or legal representative of a former member may submit the application for the review as agent for the member, but proof of the member's death or mental incompetency must accompany the request.

(c) Applicants forward their requests for review to the National Personnel Records Center (NPRC/MPR-AF), 9700 Page Boulevard, St. Louis, MO 63132. The National Personnel Records Center forwards all available military records of the former members to the Military Personnel Center for further processing to the Board.

(d) Applicants who express a desire to make a personal appearance before the Board have the option of requesting that one Board member be of enlisted status. The Board corresponds with the applicant before the hearing date to determine his or her perference. If requested, one senior noncommissioned officer is appointed as a voting member to the Board which considers the case.

§ 865.105 Board meetings and locations.

(a) The Board consists of five members and assembles to hear all cases. The president convenes, recesses and adjourns the Board. If the president is absent, the next senior member acts as president.

(b) In addition to holding hearings in Washington, D.C., the Board periodically conducts regional hearings at selected locations throughout the Continental United States. Boards are conducted at centralized locations in those areas with the greatest number of applicants. The selected locations enable applicants to have a personal appearance closer to their home. A continuing review and appraisal is conducted to ensure convenience of hearing locations within the Board's budgetary and manpower capability. Administrative details and responsibilities for traveling boards are outlined in § 865.111.

§ 865.106 Procedures for hearings.

(a) The applicant is entitled, by law, to appear in person at his or her request before the Board in open session and to be represented by counsel of his or her own selection. (In this subpart, "counsel" includes members in good standing of the Federal or a State bar, accredited representatives of veterans organizations recognized by the Veterans Administration under 38 U.S.C. chapter 59, and any other person the Board considers to be competent to present the applicant's claim equitably and comprehensively.) he applicant also may present such witnesses as he or she may desire.

(1) There are three methods of presenting a case before the Discharge Review Board. These are:

(i) *Nonpersonal appearance cases.*—When an applicant indicates that he or she does not desire to appear at the Board, and does not desire to be represented by counsel.

(ii) *Personal appearance cases.*—When an applicant desires to appear in person with or without counsel.

(iii) *Nonpersonal appearance with counsel.*—When an applicant does not desire to appear in person but does want to be represented by counsel.

(2) The Government does not compensate or pay the expenses of the applicant, applicant's witnesses, or counsel.

(3) The applicant may submit any documents he or she wishes as evidence for the Board's consideration. All applicants are provided a guidance sheet (§ 865.112) which suggests various types of information which would be beneficial in the Board's review.

(4) Based upon the available military personnel records of the applicant, a summary of the case is prepared for use by the Board in the review process. A copy of this summary is available to the applicant or his/her counsel upon request.

(5) A designated member of each Air Force Discharge Review Board case insures the accuracy and completeness of the file.

(6) When an applicant has requested a personal appearance, the Board sends the applicant (and designated counsel, if any) written notice of the hearing time and place. The notice will normally be mailed at least 30 calendar days before the hearing date. If the applicant wishes, the time limit may be waived, and in such case the Board may set an earlier hearing date. Evidence must be placed in the record to show how and when the notice was given.

(7) If an applicant has requested a personal appearance and, after being notified of the hearing time and place, fails to appear at the appointed time, either in person or by counsel, the right to be present is waived.

(b) The Director, Secretary of the Air Force Personnel Council, ensures that hearings are conducted to afford full and fair inquiries by the Board.

(1) The Board members and recorder are sworn as are the applicant and witnesses if they decide to testify under oath.

(2) All parts of an applicant's military record that may be viewed by the Board members are made available to the applicant and his/her counsel.

(i) Only investigative reports having a direct bearing on member's discharge may be considered by the Board.

(ii) In cases where applicable investigative reports are in the record, neither Board members nor applicants and their counsel are permitted access to the complete report. An appropriate official prepares an extract of salient information which is included in the summary of the case (without including references to sources of information and other matters that would be detrimental to public interest, if disclosed).

(iii) This unclassified summary may be made available to the applicant and counsel.

(c) The Board, in conducting its inquiries, is not limited by the rules of evidence applicable in judicial proceedings.

(1) Witnesses may present evidence to the Board either in person or by affidavit. If a witness testifies under oath or affirmation, he or she is subject to examination by the Board members.

(2) At the request of applicant or his or her counsel, and at the discretion of the Board, witnesses may be allowed to make unsworn statements in respondent's behalf, in which case they will not be examined by Board members.

(d) Applicants must state clearly and specifically any contention(s) and/or issue(s) of fact, law or discretion having a bearing on their case in order for a written determination to be made in accordance with § 865.107. A DD Form 293 provided for this purpose must be completed or amended prior to the Board's decision.

(e) The Air Force Discharge Review Board employs a three-step process in the review of each case:

(1) *Prejudicial error in the administrative discharge process.* The Board looks for technical errors made by the Air Force in discharging the indivdual.

(2) *Changes in discharge policy since the date of the applicant's discharge.* When no error exists, the Board considers the performance and conduct of the individual during period of military service. In its evaluation of the applicant's performance, the Board applies current policies, attitudes and views.

(3) *Clemency.* The clemency review involves the individual's development before joining the Air Force, the totality of the individual's military service, and post-service adjustment.

(f) The Board may continue an inquiry on its motion or, at its discretion, grant an applicant's (or his or her counsel's) request for continuance if this appears necessary to ensure a full and fair hearing.

(g) The Board, at its discretion and for good cause, may permit an applicant to withdraw his or her request without prejudice at any time before the Board begins its deliberations.

(h) Once the Board has heard and rendered a decision on a case, an application for rehearing is entertained only on the basis of the following:

(1) If the original review did not involve a personal appearance by the applicant and a personal appearance is now desired, a rehearing is granted on application.

(2) If the applicant submits new substantial and reliable information which might reasonably be expected to change the original findings and decision, a rehearing is granted. The granting of a rehearing under this basis is discretionary, predicated on the Board's consideration of the new material submitted.

(3) Where, after the original decision, there have been relevant changes in law either in statute or through court decisions, or changes in Department of Defense and Air Force policies, the board will consider, on application, whether in light of these changes it should rehear the case.

§ 865.107 Findings, conclusions, and reasons.

(a) The Board, in executive closed session, determines the findings, conclusions and reasons in each case. The findings, conclusions, and reasons of a majority of the Board members constitute the Board's decision. A dissenting Board member may file a minority report.

(b) The decision of the Board in each case shall be made in writing. Any review of the Board's decision shall be made in writing.

(c) The decision of the Board and the reviewing authority, if any, shall include a statement of findings, conclusions, and reasons, except where the reviewing authority expressly adopts in whole or in part the statement of findings, conclusions, and reasons of the Board. In those cases where the reviewing authority adopts the Board's statement of findings, conclusions, and reasons, there is no requirement for duplicative publication.

(d) The decision of the Board shall include:

(1) The date, character of and reason for the discharge certificate at issue, including the specific regulatory authority under which the discharge was issued.

(2) Findings on all issues of fact, law or discretion upon which the decision on the application is based.

(3) Findings and conclusions on all other issues of fact, law or discretion raised by the applicant, including claims by applicant that statutory, regulatory and/or constitutional provisions were violated and such other claims made by applicant, which in the opinion of the Board would warrant greater relief than that afforded applicant by the Board's decision if resolved in the applicant's favor.

(4) Conclusion(s) as to whether or not any change, correction, or modification should be made in the type or character of the discharge certificate and/or the reasons and authority for the discharge and, if so, the particular changes, corrections, or modifications that should be made.

(5) A statement of the reasons for the findings and conclusions made in each case.

(e) Advisory opinions or portions thereof containing factual information relied upon for final decision not fully set forth in the statement of findings, conclusions and reasons; or containing advice, recommendation(s) or opinion(s) accepted as a basis for rejecting any of applicant's claims that are not fully set forth in the statement of findings, conclusions, and reasons shall be incorporated by reference in the statement of findings, conclusions and reasons, and appended to the decision.

(f) Statements of findings, conclusions, and reasons are not required in any determination as to whether a rehearing may be authorized, but apply to a final determination of the Board and/or reviewing authority after a rehearing except to the extent findings, conclusions, and reasons exist from any previous hearings and remain unchanged.

§ 865.108 Disposition of proceedings.

(a) When the Board has concluded its proceedings in any case, the recorder prepares a complete record.

(1) *The record includes:* (i) the application for review; (ii) an electromagnetic recording of the hearing, if any; (iii) documentary evidence considered including, by reference only, the applicant's Master Personnel Record; (iv) the findings, conclusions, reasons, and instructions (see § 865.103(a)); (v) minority reports of dissenting Board members, if rendered; and (vi) all other documents necessary to a true and complete history of the proceedings.

(2) The Board president signs the record and the recorder authenticates it as true and complete. (If the recorder is absent or incapacitated, a voting member of the board may authenticate the record.)

(b) For each case, the Board transmits the record of its proceedings and directions to AFMPC/DPMDR, Randolph AFB, TX 78148. That office administratively carries out the Board's directions and reports the results to the applicant and his or her counsel if any.

(c) The final determination, votes of Board members, and the statement of findings, conclusions, and reasons together with any required appendices thereto and minority opinions, if any, shall be sent promptly to the applicant and counsel with the notice of decision in accordance with § 865.108(b). Information that appears to be potentially injurious to the applicant's physical or metal health is furnished only to the guardian or other authorized representative.

(d) Unclassified records of Board proceedings are open to perusal by the Administrator of Veterans Affairs or his or her authorized representative.

§ 865.109 Public disclosures.

(a) Statements of findings, conclusions, reasons, and the record of the votes

of Board members will be made available for public inspection and copying promptly after a notice of final decision is sent to the applicant. If not otherwise listed in the statement of findings, conclusions, and reasons, a list of contentions and/or the issues of fact, law or discretion presented by the applicant will be public with the decision.

(b) Written minority opinions or reports of a Board panel member on the decision of the Board will be made available for public inspection and copying.

(c) To the extent required to prevent invasion of personal privacy, identifying details of applicant and other persons will be deleted from the documents made available for public inspection and copying. Names, addresses, social security numbers, and military service numbers will be deleted. Written justifications, available for public inspection shall be made for all other deletions.

(d) Documents and records provided for public inspection and copying shall be made available at a reading room located at the Pentagon, Washington, D.C.

(e) All documents made available for public inspection and copying in accordance with paragraphs (a) and (b) of this section shall be indexed.

(1) The index will include an identifying characteristic (i.e., case number) for each case; the date, character of, reason for and authority for the discharge challenged therein, the decision of the Board and the reviewing authority, if any; and the issues addressed in the statement of findings, conclusions and reasons.

(2) Each index shall be published quarterly or more frequently and upon request be distributed for sale.

(3) The index will be available for review at all regional locations where the Board meets to hear cases. Notice of hearings to applicants will include information as to where the index may be located for inspection and copying. Index will be permanently maintained only at the permanent Board location.

§ 865.110 Approval of exceptions to directive.

Only the Secretary of the Air Force may authorize or approve a waiver of, or exception to, any part of this Subpart.

§ 865.111 Procedures for regional boards.

(a) The Air Force Discharge Review Board, for the convenience of the applicant, conducts regional board hearings at selected locations throughout the Continental United States. Boards are conducted at centralized locations in those areas with the greatest number of applicants. Selected board locations enable applicants to have a personal appearance closer to their home. As a location is determined, applicants from that area are advised of the date the board will be held. The locations normally are at an Air Force installation for the convenience o fusing existing facilities and selecting board augmentees.

(b) Composition of the Board for these hearings consists of three members from Washington with augmentation by two members from nearby local Air Force resources. One member may be a senior noncommissioned officer (E–8 or E–9) when an applicant requests such membership.

(c) The major commands of the installation selected are required to task the subordinate units to provide two colonels and a senior enlisted person on an additional duty basis, to serve as members of the Board. Detailed information must be provided to the Chief, Personnel Division, of the installation involved before each hearing date.

(d) The administrative staff in Washington processes all cases for regional hearings, establishes hearing dates, and returns the records to the Military Personnel Center at Randolph AFB, Texas, when the case is finalized. Detailed information for the local Board members is provided to the Directors of Personnel of the bases involved approximately four weeks before each hearing date.

(e) Travel and per diem for all board members are funded by the Secretary of the Air Force Personnel Council (SAF/PC). The funding cite number is included in the information provided to the local Board members before each hearing date.

§ 865.112 Guidance sheet.

(a) Regardless of the reason for your discharge, the suggested evidence listed below under No. 1 would be beneficial to the Board. If you can recall the specific reason for discharge (types are shown in left-hand column), additional suggested evidence is shown by the corresponding number in the right-hand column.

Reason for discharge	*Evidence needed by the Board*
Discharge for any reason	Your statement on what happened that caused your discharge, what motivated you. Current police record (statement from local police department). Statement from schools and colleges (if you are attending or have completed any school or college since discharge, provide a copy of your transcript, diploma, or letter of accomplishment from the school). Employment record (be specific—list jobs in order held—who supervisor was—reason for leaving job). Participation in civic or community affairs. Character references (frank statements about your character from members of your family, family friends, employer(s), family doctor or pastor, and other responsible people in the community).
General ineffectiveness, (unsuitability, unfitness, limited potential/minimally productive).	Indication that your attitude, ability, bearing, and behavior are now improved. Indication that your capacity toward organizational loyalty, willingness to work, and dedication are improved.
Financial irresponsibility	Verification of good credit (statements from banks, lending institutions, department stores, etc., that would attest to your financial condition). Statement from you on how your previous debts were resolved (paid off, bankruptcy, etc.).
Alcoholism	Verification of good credit (statement from banks, lending institutions, department stores, etc., that would attest to your financial condition). Membership in Alcoholics Anonymous—how long. Medical statement (statement by competent authority on your physical condition).
Character and behavior disorder.	Medical statement (statement by competent authority on your physical and mental condition).
Hardship	If discharge was for financial reasons: Verification of good credit (statement from banks, lending institutions, department stores, etc., that would attest to your financial condition). If discharge was for medical reasons: A medical statement from competent medical authority disclosing the hardship no longer exists.
Civil convictions	If applicable: Statement by competent authority that a pardon has been granted.
Homosexuality	Circumstances surrounding act or acts for which discharged: Was the applicant seduced or coerced by someone in authority? Was alcohol a factor? Were there any familial or preservice factors? Present status: Married with a family? Are you dating? Medical statement: if you have been receiving psychotherapy.
Drug abuse	Statement concerning the underlying causes of the offense: Was it because of youthful curiosity? Did you have a need to be a member of the gang? Did you have the habit prior to enlistment? Medical statement by competent medical authority if you have been receiving psychiatric treatment. Verification of good credit (statements from banks, lending institutions, department stores, etc., that would attest to your financial condition).

Reason for discharge	*Evidence needed by the Board*
Conscientious objector	Statement from applicant concerning past views and what has happened to change them.
Enuresis	Medical statement by competent medical authority on the applicant's physical condition.
Exceeding weight standards.	Medical statement by competent medical authority on the applicant's physical condition—specifically, your present weight and height.

(b) Fire-related case: If you are advised that all or part of your records were destroyed by the fire in July 1973 at the National Personnel Records Center, it is doubly important that you provide as much evidence as possible to support your request. In these cases, the Board may have limited or no record evidence available to it and must rely on evidence presented by the applicant.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison Directorate of Administration.

[FR Doc.77-6955 Filed 3-8-77;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 695-6]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS; FITCHBURG, MASS.

Sulfur Content of Fuel Oil Burned by Large Fuel Burning Sources

On May 31, 1972 (37 FR 10842), pursuant to Section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved with exceptions the Massachusetts Implementation Plan for the attainment of national ambient air quality standards.

State law requires the Massachusetts Department of Environmental Quality Engineering (the Massachusetts Department) to periodically review portions of the State Implementation Plan (SIP) to determine if any of the regulations are more stringent than necessary to attain and maintain National Ambient Air Quality Standards (NAAQS). The state law is intended to "minimize the economic cost" of the SIP while still maintaining air standards. Accordingly, on June 25, 1976, the Massachusetts Secretary of Environmental Affairs, Evelyn F. Murphy, submitted a revision for the Central Massachusetts Intrastate Air Quality Control Region ("the AQCR"). This SIP revision requested the relaxation of sulfur limitations in fuel oil burned by large fuel burning sources in the AQCR. This revision was approved by EPA on February 15, 1977. Excluded from this revision, however, were the Cities of Fitchburg and Worcester. The Massachusetts Department has subsequently submitted additional information in support of a seasonal control strategy for large fuel oil burning sources located in the City of Fitchburg.

The proposed strategy for Fitchburg would establish an emission limitation which would allow fossil fuel users of over 100 million Btu's per hour rated energy input capacity to burn 2.2 percent sulfur content fuel oil during 7 months of the year, April through October. During the 5 month heating season, November through March, these sources would be allowed to burn fuel oil with a sulfur content not in excess of one (1) percent. All other sources in Fitchburg would be limited to one (1) percent sulfur content fuel year round.

Technical support documentation submitted by the Massachusetts Department in support of this revision indicates that higher point source emissions could be tolerated in Fitchburg in the summer months when, because of reduced space heating requirements, SO_2 background concentrations are lowest. The modeling analyses were performed for the only four sources under consideration: James River Associates, Inc., Fitchburg Paper Company, General Electric, and Fitchburg Gas and Electric. These analyses were based on the strategy that the sources would only burn the higher sulfur fuel from April through October.

EPA performed additional modeling to evaluate the strategy as proposed and also the effects of burning the higher sulfur fuel year round. Although no violations of the annual NAAQS for SO_2 are predicted if the four sources are allowed to burn 2.2 percent sulfur fuel oil year round, the analyses showed violations of the 24-hour primary SO_2 standard if any of three of the sources were allowed to burn 2.2 percent sulfur fuel, whether such fuel was burned year round or only during the off-heating season. These three sources are: Fitchburg Paper Company, General Electric Company, and Fitchburg Gas and Electric Company. Subsequently, Fitchburg Paper Company requested the Massachusetts Department to revaluate the proposal, including only boilers emitting through Fitchburg Paper Company's 55 meter stack. This analysis indicates that the higher sulfur content fuel could be burned in the Fitchburg Paper Company boilers which emit through the 55 meter stack, without violating the NAAQS for SO_2. James River Associates, Inc. was also shown to be able to burn 2.2 percent sulfur content fuel. Therefore, EPA's analysis of this submittal indicates that the only sources which could be approved to implement the provisions of the revision as submitted by the Massachusetts Department are James River Associates, Inc., and part of Fitchburg Paper Company.

Evaluations of the impact of the revision have indicated that use of higher sulfur content fuel oil may cause an increase in particulate emissions. Violations of the total suspended particulate (TSP) primary annual and 24-hour NAAQS have occurred in Worcester. However, because of the distance between Fitchburg and Worcester, EPA has determined that any increase in particulate emissions resulting from the use of higher sulfur content fuel oil in Fitchburg should not significantly affect existing TSP violations in Worcester. In addition, two violations of the TSP secondary 24-hour standard have been recorded in Fitchburg in the past three years. EPA has reviewed the violation days and determined that none of the sources under consideration for burning higher sulfur fuel impacted on the monitor recording the violations. The Massachusetts Department, however, has been required to study the problem and to develop, if necessary, a SIP revision for the attainment of TSP standards in Fitchburg.

Further, none of the sources for which approval is being considered will be permitted to continue burning higher sulfur content fuel if the source has particulate emissions in excess of the emission limitation established for it in the SIP. This determination will be made from stack emission testing which is a condition of the Massachusetts Department permit for all sources.

If the revision is finally approved by EPA, sources included in the approval must receive a permit from the Massachusetts Department prior to using higher sulfur content fuel. The Massachusetts Department has the authority to require the establishment of a network of continuous ambient sulfur dioxide monitors at specified locations in the vicinity of the facility eligible to burn higher sulfur content fuel. The Massachusetts Department intends to take all actions necessary to assure maintenance of the NAAQS, including requiring any approved sources to return permanently to burning lower sulfur fuel if there are any recorded violations of SO_2 standards in the vicinity of the facility.

Accordingly, EPA has determined that adequate measures will be undertaken to assure that any violations of the NAAQS for TSP, whether or not attributable to the use of higher sulfur fuel, will be corrected in a timely manner.

During the comment period EPA will accept further information on this proposal, which may demonstrate that one or more of the other sources could use fuel with a sulfur content higher than one (1) percent and not violate the NAAQS. In addition, if, subsequent to a final rulemaking notice approving fewer than all four sources, additional information is submitted demonstrating that an additional source or sources can be approved for use of fuel with a sulfur content higher than one (1) percent, this will be done at a later date by another final rulemaking notice without the publication of another proposed rulemaking notice for the City of Fitchburg. Consequently, interested persons are urged to submit comments at this time on the proposed revision, as it would apply to all four sources.

Copies of the Massachusetts submission and EPA's technical review are available for public inspection during

normal business hours at the Environmental Protection Agency, Region I, JFK Federal Building, Room 2113, Boston, Massachusetts 02203; Department of Environmental Quality Engineering, Division of Air and Hazardous Materials, Room 320, 600 Washington Street, Boston, Massachusetts, 02111; and the Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

The Regional Administrator hereby issues this notice setting forth the Massachusetts revision as proposed rulemaking and advises the public that interested persons may participate in this rulemaking by submitting written comments to the address below. Comments received will be available for public inspection during normal business hours at the Region I office. All comments should be addressed to: Regional Administrator, Region I, Environmental Protection Agency, Room 2203, JFK Federal Building, Boston, Massachusetts 02203. Relevant comments received on or before April 8, 1977 will be considered.

The Administrator's decision to approve or disapprove the plan revision will be based on whether it meets the requirements of section 110(a)(2) (A)–(H) and 110(a)(3) of the Clean Air Act and EPA regulations in 40 CFR Part 51.

(Sections 110(a) and 301 of the Clean Air Act, as amended (42 U.S.C. 1857c-(5) and 1857(g)).)

Dated: February 28, 1977.

JOHN A. S. MCGLENNON,
Regional Administrator,
Region I.

[FR Doc.77-6904 Filed 3-8-77;8:45 am]

[40 CFR Part 180]

[FRL 695-3; PP6E1819/P50]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Proposed Tolerances for Pesticide Chemical Dinoseb

NOTE.—The document was originally published in the Notices section of the FEDERAL REGISTER of March 7, 1977 in error. Therefore, it is being republished in the Proposed Rules section of this issue. This republication also contains corrections to the table in § 180.281.

Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, New Jersey State Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick NJ 08903, has submitted a pesticide petition (PP6E1819) to the Environmental Protection Agency (EPA) on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Idaho and Washington. This petition requests that Administrator, pursuant to section 403(e) of the Federal Food, Drug, and Cosmetic Act, propose that 40 CFR 180.281 be amended by the establishment of tolerances for residues of the herbicide dinoseb (2-*sec*-butyl-4,6-dinitrophenol) in or on the raw agricultural commodities lentil forage, lentil hay, and lentils at 0.1 part per million (ppm.).

The data submitted in the petition and all other relevant material have been evaluated. Although it has been determined that neither chronic studies nor carcinogenic potential analysis have been conducted in support of the proposed tolerances, data on subacute effects (three studies) and teratogenic potential (two studies negative) are available. Furthermore the proposed tolerances present no expectation of real residues, and lentils are of such low consequence in the diet that they are not even included in the dietary intake tables used in the hazard evaluation. It would be expected that the alkanolamine moiety used as the cation in some formulations would not persist or appear in commodities to any greater extent than the nitrophenol. Thus, because there is no predicted exposure from the proposed use, it is concluded that the tolerances of 0.1 ppm in or on lentil forage and hay and lentils will protect the public health. There is a possibility of *N*-nitrosamines as impurities in the herbicide, although this fact has not been confirmed. The Agency will make such determination in the course of its nitrosamine analysis program. In the event of any finding of adverse effect in data generated as a result of EPA reregistration or nitrosamine activities, immediate action will be expectation of residues in eggs, milk, meat, or poultry as delineated in 40 CFR 180(a)(3). It is proposed, therefore, that the tolerances be established as set forth below.

Any person who has registered, or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act which contains any of the ingredients listed herein may request, on or before April 6, 1977, that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, East Tower, Room 401, 401 M St. SW., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and of others interested in inspecting them. The comments must be received on or before April 6, 1977, and should bear a notation indicating both the subject and the petition/document control number, "PP6E-1819/P50". All written comments filed in response to this notice of proposed rulemaking will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 408(e), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e).))

Dated: March 1, 1977.

DOUGLAS D. CAMP,
Acting Director,
Registration Division.

It is proposed that Part 180, Subpart C, Section 180.281 be revised by editorially restructuring the section into an alphabetized columnar listing and alphabetically inserting a tolerance of 0.1 ppm for lentils, etc., to read as follows:

§ 180.281 Dinoseb; tolerances for residues.

Tolerances are established for residues of the herbicide, insecticide, and fungicide dinoseb (2-sec-butyl-4,6-dinitrophenol) from application of its phenol or its readily hydrolyzable salts (alkanolamine salts, ammonium salt, or sodium salt) in or on raw agricultural commodities as follows:

Commodity:	*Parts per million*
Alfalfa	0.1(N)
Alfalfa, hay	0.1(N)
Almonds	0.1(N)
Almonds, hulls	0.1(N)
Apples	0.1(N)
Apricots	0.1(N)
Barley, forage	0.1(N)
Barley, grain	0.1(N)
Barley, straw	0.1(N)
Beans	0.1(N)
Beans, forage	0.1(N)
Beans, hay	0.1(N)
Blackberries	0.1(N)
Blueberries	0.1(N)
Boysenberries	0.1(N)
Cherries	0.1(N)
Citrus	0.1(N)
Clover	0.1(N)
Clover, hay	0.1(N)
Corn, fodder	0.1(N)
Corn, forage	0.1(N)
Corn, fresh (inc. sweet K+CWHR)	0.1(N)
Corn, grain (inc. pop)	0.1(N)
Cotton, forage	0.1(N)
Cottonseed	0.1(N)
Cottonseed, hulls	0.1(N)
Cucurbits	0.1(N)
Currants	0.1(N)
Dates	0.1(N)
Figs	0.1(N)
Filberts	0.1(N)
Garlic	0.1(N)
Gooseberries	0.1(N)
Grapes	0.1(N)
Hops	0.1(N)
Lentils	0.1(N)
Lentils, forage	0.1(N)
Lentils, hay	0.1(N)
Loganberries	0.1 N)
Nectarines	0.1(N)
Oats, forage	0.1(N)
Oats, grain	0.1(N)
Oats, straw	0.1(N)
Olives	0.1(N)
Onions	0.1(N)
Peaches	0.1(N)
Peanuts	0.1(N)
Peanuts, forage	0.1(N)
Peanuts, hulls	0.1(N)
Pears	0.1(N)
Peas	0.1(N)
Peas, forage	0.1(N)
Peas, hay	0.1(N)
Pecans	0.1(N)
Plums (prunes)	0.1(N)
Potatoes	0.1(N)
Raspberries	0.1(N)
Rye, forage	0.1(N)
Rye, grain	0.1(N)
Rye, straw	0.1(N)
Soybeans	0.1(N)
Soybeans, forage	1
Soybeans, hay	1
Strawberries	0.1(N)
Trefoil, birdsfoot	0.1(N)
Trefoil, hay	0.1(N)

Commodity:	Parts per million
Vetch	0.1(N)
Vetch, hay	0.1(N)
Walnuts	0.1(N)
Wheat, forage	0.1(N)
Wheat, grain	0.1(N)
Wheat, straw	0.1(N)

* * * * *

[FR Doc.77-6714 Filed 3-4-77;8:45 am]

[40 CFR Part 700, 710]

[OTS-081001 FRL 690-5]

TOXIC SUBSTANCES CONTROL

General Provisions and Inventory Reporting Requirements

AGENCY: Office of Toxic Substances, Environmental Protection Agency.

ACTION: Proposed rules pursuant to the authority of section 8(a), The Toxic Substances Control Act (Pub. L. 94-469; 15 U.S.C. 2601, et seq., hereinafter referred to as TSCA).

SUMMARY: These proposed regulations would establish a new 40 CFR Part 700 and 710). Part 700, General Provisions, would prescribe the scope of the rules under TSCA and definitions applicable to such rules. Part 710, Inventory Reporting, would prescribe what chemical substances must be reported for inclusion on an inventory of chemical substances required by section 8(b) of TSCA; procedures for reporting chemical substances for the inventory; exemptions from such reporting requirements and certain prohibitions; and procedures for handling claims of confidentiality.

DATES: Comments must be received on or before May 9, 1977.

FOR FURTHER INFORMATION CONTACT:

Cynthia C. Kelly, or George Semeniuk, Office of Toxic Substances (WH-557), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460 (202-755-4880).

SUPPLEMENTARY INFORMATION: On December 29, 1976, the Environmental Protection Agency (EPA) announced in the FEDERAL REGISTER (41 FR 56688) the formation of a work group to implement the premarket notification and inventory sections of the Toxic Substances Control Act (TSCA). Earlier, on December 7, 1976, EPA published in the FEDERAL REGISTER (41 FR 53567) a list of issues concerning implementation of the Act. At a public meeting held in Washington, D.C. on December 14 and 15, 1976, representatives from industry, labor, and environmental groups were invited to comment publicly on these issues. Since that time, the work group on premarket notification has met with spokesmen of these interests in the preparation of these proposed regulations.

EPA will be holding another public meeting to discuss these proposed regulations in early April. A future FEDERAL REGISTER notice will announce the exact time and place.

OVERALL APPROACH

THE CANDIDATE LIST APPROACH

Shortly after publicaion of these proposed regulations, EPA will publish in the FEDERAL REGISTER a notice of availability of a candidate list of approximately 30,000 chemical substances compiled from various governmental and private sources. The sole purpose of this candidate list is to simplify reporting by listing these chemical substances with code numbers to be used in reporting them.

A manufacturer must report on EPA form A (for chemical substances on the candidate list) or on EPA form B (for all other chemical substances) all chemical substances he has manufactured for commercial purposes since January 1, 1977. Manufacturers and processors may report on these forms other chemical substances manufactured or processed for commercial purposes since July 1, 1974. Chemical substances which are not reported will not be included on the inventory of existing chemicals and beginning in December 1977 will be subject to premarket notification requirements. Draft reporting forms are included in Appendix I of these regulations for public comment. Detailed instructions concerning use of the candidate list will be published along with that list.

In deliberating alternative approaches to compiling the inventory, EPA considered requiring no further reporting for certain chemicals already known to be manufactured for commercial purposes in accordance with these regulations, and relying instead on information available from the International Trade Commission and other government sources. Unlike the proposed approach, however, such an approach would not create a data base of the manufacturers of each chemical substance in commerce. Such information will be useful in identifying those manufacturers subject to any future EPA notice or requirement with respect to any chemical substance on the inventory and will facilitate communication with the industry.

EPA also seriously considered but decided to postpone gathering information on production, use, byproducts, and impurities. If EPA or another agency wants production or other information about a specific chemical substance, EPA has authority under section 8 to require such information including the chemical identity, impurities, production, use, byproducts, disposal, worker exposure, and available health and safety data. While small manufacturers and processors are exempt from such general reporting requirements, EPA may require them to report concerning chemical substances that are subject to rules under certain sections of the Act. In addition, while EPA recognizes the potential hazards of some impurities and byproducts of a chemical substance, EPA intends to use the alternative authorities of sections 4, 5, 6, 7, or 8(a) of the Act to prevent and reduce any unreasonable risks posed by impurities and byproducts rather than join these objectives with the already difficult task of compiling the inventory.

FUTURE REVISIONS OF THE INVENTORY

Fundamental to EPA's approach is the concept of a dynamic rather than a static inventory. As provided in Section 710.1 of these regulations, EPA intends to revise any categories of chemical substances on the inventory and to make other revisions as appropriate based on information obtained through section 8 of TSCA or other sources. For example, if new toxicological data indicate that some members of a listed category produce adverse health or environmental effects, EPA might delete the category and list each member separately. Accordingly, any proposed new chemical substance which previously would have fallen in that category and would have been exempt from premarket notification requirements would now be subject to such requirements. Such premarket notification requirements would not, of course, apply retroactively. Similarly, in future revisions of the inventory EPA may distinguish among polymers with respect to their structural features, for example, even though the initial inventory will make no such distinctions.

In addition, as new chemical substances are reported to the Agency pursuant to the premarket notification requirements of section 5 of the Act, they will be included in the inventory.

REPORTING FOR THE INITIAL INVENTORY

What chemical substances would be included on the inventory published November 1977? Section 8(b) of the Act specifies that the inventory will include each chemical substance which is manufactured or processed for commercial purposes in the United States within a period not to exceed three years before the effective date of these regulations. EPA proposes to allow chemical substances which were manufactured or processed after July 1, 1974, to be included. Accordingly, the inventory would contain only those chemical substances which were manufactured or processed at some point during the period beginning July 1, 1974, and extending through the effective date of the premarket notification requirements in December 1977.

Who would report to EPA under these regulations to make sure that a chemical substance is included on the list published in November 1977? All persons who manufacture or have manufactured a chemical substance after January 1, 1977, according to these regulations must report such substance to EPA. Since the term "manufacture" includes importation, an importer, as defined in § 700.2 (n), must also report the chemical substances he imported after January 1, 1977. A manufacturer or importer may

report any chemical substance manufactured or imported between July 1, 1974, and January 1, 1977. Further, if a chemical substance was manufactured or imported prior to July 1974 but was processed after that date, a manufacturer or importer may report such substance for the inventory if he certifies that the substance was processed after July 1, 1974.

Importers must report not only bulk chemical substances but also those which are contained in imported articles, insofar as known to the importer or reasonably ascertainable. No article may be imported into the United States after the effective date of the premarket notification requirements unless each component chemical substance contained in that article is included on the inventory or the importer has complied with premarket notification requirements. Premarket notification requirements will be further clarified when regulations concerning notification are proposed. EPA specifically solicits comments on these proposed reporting requirements for importers.

While EPA anticipates that most chemical substances in commerce will be reported by the manufacturers or importers of those substances, any person who processes or has processed a chemical substance according to these regulations after July 1, 1974, may report that substance to EPA. Of course, if a processor has knowledge that another person has reported or is reporting a substance, he need not separately report.

Any person who manufactures or processes a chemical substance in small quantities for research, as defined in §700.2(aa) of these regulations, would be excluded from reporting that substance for the inventory. Further, any person who distributes a chemical substance in commerce in amounts limited to such small quantities to customers who use it solely for such research purposes is excluded from reporting.

As mixtures are excluded from the inventory, a person who manufactures or processes a mixture would not report such mixture. However, each component chemical substance of that mixture would be reported for inclusion on the inventory, as described above.

Since naturally occurring substances such as minerals, plants, and animal products are chemical substances within the meaning of the Act, these chemical substances must be included on the inventory. In § 710.5(a)(4), EPA proposes to exclude the general category of raw agricultural commodities from reporting requirements and from premarket notification requirements, at least initially. The broad category "raw agricultural commodities" will automatically be included on the inventory. Accordingly, manufacturers or processors of raw agricultural, horticultural, and silvicultural products, such as unprocessed cotton, wood, wool, straw, oat hulls, and raw hides, would not report. However, processors who extract chemicals from raw agricultural commodities (e.g., oils, fats, gums, and dyes) are subject to the reporting requirements for compilation of the inventory. Similarly, at § 710.5(a)(5) certain specially designated raw minerals of the candidate list will be excluded from reporting. Mining companies and other processors of such substances would not report. These minerals will automatically be included on the inventory. Other minerals not so designated should be reported for inclusion in the inventory. EPA recognizes that refinement of such categories of naturally occurring substances may be necessary and solicits comments on these proposed categories. Commercial biological preparations, such as yeasts, bacteria, enzymes, and fungi, would be reported. To the extent possible, EPA will include such substances on the candidate list to simplify reporting.

Definitions

Basic definition of chemical substance

As defined in § 700.2(d)(1) of these regulations, "chemical substance" means "any organic or inorganic substance of a particular molecular identity, including (i) any combination of such substances occurring in whole or in part as a result of a chemical reaction or occurring in nature, and (ii) any chemical element or uncombined radical." Thus, the term "chemical substance" encompasses everything from the basic elements to the most complex organic chemicals. It also includes naturally occurring substances such as coal and wood and any chemical substances derived or extracted from them.

TSCA creates two main types of exclusions to the term "chemical substance." The first are all those combinations of chemical substances which are termed "mixtures." The other exclusions apply to chemical substances insofar as they are regulated under certain other Federal authorities.

Distinguishing mixtures from chemical substances

As defined in § 700.2(s) of these regulations, the term "mixture" means

> any combination of two or more chemical substances if the combination does not occur in nature and is not, in whole or in part, the result of a chemical reaction. Such term does include, however, (1) any combination which occurs, in whole or in part, as a result of a chemical reaction if none of the chemical substances which react or which comprise the combination is a new chemical substance and if the combination could have been manufactured for commercial purposes without a chemical reaction at the time the chemical substances comprising the combination were combined; (2) any combination of chemical substances which is the result of solution or hydration; and (3) any combination which occurs as a consequence of a reaction which may take place if a chemical substance which functions as a stabilizer, colorant, antioxidant, filler, solvent, carrier, surfactant, or plasticizer is added to another chemical substance and performs as intended.

In accordance with this definition, certain combinations of chemical substances would be encompassed within the term "mixture" even though there may be some chemical reaction among the component chemical substances. As clarified in clause (1) of the definition, the term "mixture" would include certain reaction-produced combinations of chemical substances which could have been manufactured for commercial purposes without a chemical reaction. To illustrate, a processor might combine two chemical substances, C and D, which do not react to produce a mixture consistent with the basic definition of the term. On the other hand, it may be more efficient to mix the precursor substances of C together with D in one step. Thus, a processor may combine chemical substances A, B, and D. The final product, a mixture of C and D, would be considered equivalent to the mixture made by directly combining C and D. Whether the process of combining the precursor chemical substances involves a chemical reaction is not strictly relevant to the determination of whether the product is a chemical substance or a mixture.

As provided in clause (2) of the definition of "mixture," any combination of chemical substances which are the result of solution or hydration would not be considered produced by a chemical reaction. This clause does not apply to the products of discrete chemical reactions in which either water or solvent is a reactant, e.g., water reacting with an ester to form an acid and an alcohol. However, most glasses, ceramics, alloys, or solvated compounds would be considered "mixtures". For example, a continuously variable set of combinations of oxides forming glasses would be considered to be a set of mixtures of the oxides even though some chemical reactions occur among the oxides. Similarly, the formation of a solution of hydrated sodium and hydrated chloride ions as a consequence of dissolving a sodium chloride crystal in water would be considered a "mixture" of the chemical substances water and sodium chloride.

As provided in clause (3), the addition of stabilizers, colorants, antioxidants, fillers, solvents, carriers, surfactants, or plasticizers would not be considered to be manufacturing "chemical substances" even if there is an incidental reaction upon the additive performing its intended function during or after the processing operation.

As provided in § 710.4(d), polymers and copolymers with the same constituent monomers would be considered equivalent irrespective of the proportion of the major starting materials or catalysts used, variations in average molecular weight, molecular weight distribution, chain structure, or crystallinity. For purposes of the initial inventory, the Agency is considering requiring polymers to be identified in a way that cites every constituent monomer. However, interested parties have argued that EPA pursue an alternative approach. Accordingly, EPA is considering polymer identification based upon only those monomers present at greater than two percent. Further, EPA is considering requiring that each monomer present at levels of less than five or perhaps ten percent be specially designated within that polymer as listed, so that premarket notification would be required before a polymer containing

more than this percentage of the specially designated monomers could be manufactured. The Agency specifically solicits comments on these alternatives.

EXCLUSIONS TO DEFINITION OF CHEMICAL SUBSTANCES

In addition to excluding any combination of chemical substances which falls within the definintion of "mixture," the term "chemical substance" excludes many substances insofar as they are regulated by certain other Federal authorities. This latter exclusion is intended to be coextensive with the authorities contained in these other Federal statutes.

Any pesticide as defined in section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is excluded from the definition of chemical substance when manufactued, processed, or distributed in commerce for use as a pesticide. A chemical substance is not a "pesticide" within the meaning of FIFRA until its value for pesticide purposes has been established. Therefore, a chemical substance may first be subject to the provisions of TSCA. When its value for pesticide purposes is established and it becomes a component of a pesticide product, it will be subject to FIFRA. EPA invites comment on the extent to which chemicals used at various stages in the manufacture of pesticides are subject to TSCA and should be included in the inventory.

Any food, food additive, drug, cosmetic or device as defined in section 201 of the Federal Food, Drug, and Cometic Act (FFDCA) is excluded from the definition of chemical substance when manufactured, processed, or distributed in commerce for such use(s). There is legislative history indicating that drug intermediates would not be subject to TSCA. The definitions of the FFDCA provide that chemical substances which are used as components of a food, drug, cosmetic, or device are encompassed within the meaning of such terms, respectively. In addition, chemical substances used for drug, food, food additive, or cosmetic research and development, respectively, are encompassed within the FFDCA. Such substances therefore appear to be excluded from the provisions of TSCA when manufactured, processed, or distributed in commerce solely for such uses. EPA solicits comment on this interpretation.

The exclusion from the definition of chemical substance for any pesticide, food, food additive, drug, cosmetic, or device extends only insofar as the substance or mixture is actually manufactured, or processed, or distributed in commerce for use as a pesticide, food, food additive, drug, cosmetic, or device. If a chemical substance is used both as a drug and as an industrial chemical, for example, the exclusion would apply only to the chemical substance when and to the extent it is actually manufactured, processed, or distributed in commerce for use as a drug. If the manufacturer or processor is not able to establish clearly that a chemical substance is ultimately intended for use for an excluded purpose, it would be subject to TSCA.

TSCA also excludes from the definition of chemical substance any nuclear source material such as uranium or thorium, special nuclear material such as plutonium or uranium 233, or nuclear byproduct material, as these terms are defined in the Atomic Energy Act of 1954 and regulations thereunder.

The Act also specifically excludes tobacco or any tobacco products from the definition of chemical substance. This exemption extends only insofar as a chemical substance is manufactured, processed, or distributed in commerce as tobacco or a tobacco product, such as cigarettes or cigars. A chemical substance, such as nicotine, which is derived from tobacco and is processed or distributed in commerce as an industrial or other commercial product would not be exempt from the definition of chemical substance.

Finally, the Act exempts pistols, firearms, revolvers, shells, and cartridges from the definition of chemical substances. Ammunition, accordingly, cannot be regulated under TSCA. The components of ammunition, however, are not excluded from the Act and are considered "chemical substances".

CLARIFICATION OF "MANUFACTURE FOR COMMERCIAL PURPOSES"

Only chemical substances which are manufactured or processed for "commercial purposes" should be included in the inventory or subject to premarket notification. As defined in § 700.2(r) of these regulations, the term manufacture or process for "commercial purposes" would mean to manufacture or process a chemical substance or mixture (1) for distribution in commerce, or (2) for use by the manufacturer or processor. Thus, all chemical substances as defined in these regulations including intermediates, whether or not they are distributed in commerce, would be reported.

EXEMPTION FOR SMALL QUANTITIES FOR RESEARCH

Section 700.2(aa) of these proposed regulations defines the term "small quantities for scientific experimentation or analysis or chemical research on, or analysis of, such substance or another substance, including any such research or analysis for the development of a product", (hereinafter "small quantities for research"), as

such amounts of a chemical substance manufactured or processed or proposed to be manufactured or processed which meet the following conditions: (1) The quantities are no greater than reasonably necessary for such purposes; (2) the quantities are limited to amounts used solely for such purposes; and (3) after (the effective date of premarket notification requirements) such research is conducted by, or directly supervised by, a technically qualified individual(s).

Such scientific experimentation or analysis on a chemical substance is intended to include quality control testing. The Act excludes from the inventory and from premarket notification any chemical substance which is produced in "small quantities solely for research". Although clause (3) of the definition of "small quantities for research" requires that such research be conducted or supervised by technically qualified personnel, failure to meet such criteria is not grounds for including on the inventory substances which would otherwise have been excluded. EPA intends to clarify further the exclusion of such substances from premarket notification requirements in future regulations.

The term "technically qualified individual" is defined in § 700.2(dd) as "a person who because of his education, training, or experience, or combination of such factors, is capable of appreciating the health and environmental risks associated with exposure to the chemical substance which is used under his supervision, and who because of his position can enforce appropriate methods of conducting scientific experimentation, analysis, or chemical research in order to minimize such risks."

These two definitions are based on the assumption that reduction of the risk during research and development depends not only on the limitations on the quantities produced but also on the degree of control maintained and the expertise of the persons handling the chemical substances. In order to fit within the meaning of "small quantities for research", the proposed approach would require the industry to assure that all activities including preparation, handling, utilization, and disposal are conducted by, or adequately and directly supervised by, technically qualified personnel. These responsible people would have to be made a diligent effort to be informed of all known health or environmental effects of the chemicals under development. Nothing contained herein is intended to remove any responsibilities to inform workers of hazards to which they are being exposed.

In deliberations prior to the proposal of these regulations, various interest groups endorsed this general approach to defining small quanties. The alternatives considered were to define the term "small quantities" by either one general quantiy, such as 50 or 500 kilograms, or by different quantities for various broad classes of chemical substances. Both of these approaches would provide a clear demarcation between research and commercial chemicals and thereby assist the industry in determining exactly when the premarket notification provisions apply.

Such approaches may, however, have serious drawbacks. If one quantity was chosen as the limitation for "small quantities for research," EPA would probably be inundated with requests for exemption. The task of selecting different quantities for different product lines is complex. The amounts necessary for development of the same chemical substance may vary significantly depending on whether the substance is a

chemical product or a minor component of another product. Such amounts would also depend on the intended application and process equipment used for testing. For example, much smaller quantities of a polymer coating would be necessary for testing specialty papers than for testing merchant grades which are made on larger machines.

Moreover, any specific quantity definition of "small quantities for research" may exclude some legitimate commercial chemicals from the inventory and premarket notification requirements simply because they are manufactured in amounts below the designated quantity. Other chemicals in various stages of research or development, however, may be produced in amounts exceeding the "small quantities" definition. As a consequence, manufacturers would have to submit, and EPA would have to review, premarket notices for some chemicals which may never be introduced into commerce.

Accordingly these regulations would establish a general standard. This approach is consistent with the programs of other countries which have similar laws. For example, the Japanese chemical substances control law which was in effect April 1974 exempts in general terms from premarket notification any new chemical substance which is manufactured solely for testing and research purposes. The Agency explicitly solicits comment on this approach.

Commercial Production of Research Chemicals

Some chemical companies supply or sell chemical substances to chemical companies, universities, or other institutions solely for research and development purposes. Section 710.5(a)(1) would exclude such chemical substances from the inventory insofar as they are sold exclusively in "small quantities for research," as defined in § 700.2(aa), to customers who use it solely for such purposes. EPA is considering a requirement whereby any person who claims to distribute a chemical substance in "small quantities for research" after the effective date of the premarket notification requirements would have to be prepared to document that assertion upon request. A manufacturer would have to obtain a statement upon each sale or an annual blanket certification from his customers verifying that the chemical substances are used in "small quantities for research." The Agency specifically solicits comments on this proposal.

Distinguishing the Development Phase from Test Marketing

A chemical substance in a development phase that meets the criteria for "small quantities for research" in § 700.2(aa) is excluded from the inventory and premarket notification requirements. A chemical substance may not undergo test marketing, however, unless the manufacturer or processor complies with, or is granted an exemption from, the premarket notification requirements.

The development phase of a chemical substance is primarily directed to evaluating a product's performance for a proposed use or in a production process or operation. Test marketing, on the other hand, is primarily concerned with evaluating the customer acceptance of that substance for a particular use or the market demand for that product. The evaluation in a test marketing situation is not necessarily conducted by technical personnel.

Accordingly, EPA is proposing in § 700.2(ee) to define the term "test marketing" to mean:

> The distribution of a predetermined amount of a chemical substance or article containing such chemical substance by a manufacturer or processor to a defined number of potential customers for purposes of evaluating that substance or article for a particular use or uses or for assessing the potential demand for the product during a predetermined testing period prior to the distribution of such chemical substance or article in commerce.

Analysis or experimentation by an outside testing laboratory or by a potential industrial user may still be considered part of the development phase of the chemical and not test marketing. Moreover, an industrial user may pay for the cost of the substance without necessarily ending the development phase.

Chemical Intermediates

In § 700.2(p) the term "intermediate" is defined as "any chemical substance (1) (i) that is deliberately present in a chemical reaction sequence used to produce another chemical substance, (ii) whose presence is known or reasonably ascertainable, and (iii) which could be isolated and identified under conditions which are practically encountered in the environment, or (2) is an intentionally present catalyst".

In practice, chemical reactions do not always precisely coincide with the chemical equation used to describe that reaction. In a long chain of chemical reactions, a chemical substance involved in an early stage may be partially carried over into a subsequent stage where it reacts in part with another chemical substance. EPA does not intend that every minor chemical substance formed incidental to principal chemical reaction sequences would be reported for the inventory.

In general, if a chemical substance is not part of an intended reaction sequence, it would not be considered an intermediate for purposes of the inventory. For example, an intended reaction sequeince might be A+B=C; C+D=E. Yet the substance F may be formed when some of A is not completely reacted with B and is carried over to the subsequent reaction phase where is incidentally reacts with E. While F was produced during the manufacture of E, a commercial chemical, We would not be considered an "intermediate" for purposes of this regulation as it was not an intended part of the chemical reaction sequence.

Consistent with section 8(a)(2) of the Act, EPA would require a manufacturer to report an intermediate for the inventory only insofar as its identity was known to the manufacturer or processor. In some cases various chemical substances exist temporarily during a chemical reaction. Although such substances may be considered as intermediates in a chemical reaction, EPA proposes not to include such substances in the inventory unless they can be isolated and identified under conditions which are practically encountered in the environment. By this definition, it should be clear that EPA would not intend to include such chemical substances which could be isolated and identified only under special laboratory conditions.

With additional testing and increasingly sophisticated sampling and analytical techniques, chemical substances which were present all along in a chemical reaction sequence but undetected will be identified. If such newly detected substances conform with the definition of intermediate, a manufacturer or processor would report them for inclusion on the inventory. If the principal chemical substance was not a new chemical substance, the newly discovered intermediate may be reported to EPA at any time after the publication of the November 1977 inventory. EPA would consider on a case-by-case basis a manufacturer's failure to report the substance previously to fall within the meaning of the phrase "for good cause" at § 710.4(g) and would not require premarket notification.

Section 5(h)(5) of the Act provides the Administrator authority, upon application, to exempt from the premarket notification requirements those chemical substances which "exist temporarily as a result of a chemical reaction" and "to which there is no, and will not be, human or environmental exposure." Clause (1)(iii) of the definition of "intermediate" excludes any short-lived chemical substance which could be isolated and identified only under special laboratory conditions. The exemption provided in section 5(h)(5) would be applicable to those chemical substances which could exist in the environment but which in practice do not. For example, a chemical substance may be formed during a chemical reaction sequence and at all times be totally contained in a reaction vessel or other enclosed facility. These chemicals would be reported for the inventory. Any proposed new chemicals which are at all times totally contained in a reaction vessel may be exempt from premarket notification pursuant to section 5(h)(5) of the Act. EPA will further clarify this exemption provision in regulations issued in November 1977 governing premarket notification.

Byproducts

As defined in §700.2(c), byproduct means "a secondary chemical substance produced during the manufacture, processing, storage, or end use of another chemical substance or product, provided that the secondary substance does not

appear only as an impurity of the principal substance or product."

As provided in § 710.5(a)(2)(ii), any chemical substance which is only a byproduct and is not used for any commercial purposes will be excluded from the inventory. Similarly, such byproducts would not be subject to premarket notification.

For example, if a manufacturer processes or sells a byproduct produced during the manufacture of another chemical substance, the byproduct has a commercial purpose and would be reported as any other chemical substance. On the other hand, adhesives, paints, inks, drying oils, and curable plastic molding compounds may undergo certain chemical reactions which produce a different substance or mixture during their storage or upon end use. These substances would be considered byproducts and would be excluded from the inventory as they have no commercial purpose separate from the principal product of which they are a part. Thus, a painter who in effect creates a new chemical substance upon applying paint to a wall or an automobile would be considered to be producing a byproduct which would be excluded from the inventory. The manufacturers of the chemical substance(s) in the paint or other product from which the byproduct is produced would be responsible for meeting any requirement EPA may impose under TSCA respecting such byproduct. EPA intends to consider fully cured resins as byproducts in this sense so long as their polymeric precursors are separately listed as chemical substances. EPA recognizes that the product categories cited above, such as adhesives and paints, may not represent all the products that produce chemical substances upon end use or storage that should be considered as byproducts. The Agency specifically solicits appropriate additions to these examples and any comments on this approach.

IMPURITIES

EPA is proposing to define "impurity" in § 700.2(o) as "a chemical substance which is unintentionally present in another chemical substance." As provided in § 710.5(a)(2)(i), any chemical substance which is only an impurity and is not used for any commercial purpose is excluded from the initial inventory. The presence of an impurity may be known or suspected to contribute to the desired performance of a product and may accordingly not be removed. However, so long as the impurity is not deliberately present in the chemical reaction sequence it would be excluded from reporting for the initial inventory.

CONFIDENTIALITY

Several interested parties have informed the Agency that they intend to claim confidential treatment, pursuant to TSCA Section 14, for the name of one or more chemical substances they produce or for the fact that they are the manufacturers or processors of particular chemical substances for commercial purposes. Both of these types of claims must be asserted in accordance with the Agency's business confidentiality rules contained in Part 2, Subpart B of Title 40 of the Code of Federal Regulations (CFR), and will be disposed of in accordance with the rules of that part.

Proposed § 710.6, in addition, requires any manufacturer or processor when making a claim of confidentiality for a chemical name to furnish the Agency (1) the confidential name; (2) a proposed chemical name for the chemical substance which is only as generic as necessary to protect the confidential identity of the substance; (3) a list of the elements of the chemical substance and its molecular weight; and (4) a bibliography identifying any published literature and summaries of unpublished information concerning the health and ecological effects and environmental behavior of the chemical substance.

EPA would list the proposed generic name or some modification on the inventory to provide the public some indication of the undisclosed substance. Since the substance's specific identity would not have been published, however, the public would not be able to search the scientific literature to assess whether such substance may present an unreasonable risk to human health or the environment. Therefore, the Agency will give particular attention to these chemicals and, as necessary, require the submission of information necessary to assess the environmental acceptability of the chemical substances.

The Agency is considering amending Part 2 of Title 40 of the CFR to require detailed support for any claim that the specific name of a chemical substance is confidential at the same time that the manufacturer or processor asserts such a claim. EPA specifically solicits comments on the practical implications of this modification of the Agency's normal approach. In addition, EPA invites suggestions concerning possible methods of discouraging competitors from submitting exploratory premarket notification inquiries with the sole intent of discovering the confidential identity of chemical substances identified only by generic name on the inventory.

ECONOMIC IMPACT ANALYSIS STATEMENT

Executive Order 11821 (as extended) and OMB Circular A-107 require that major legislative proposals and regulations by agencies of the Executive Branch must be accompanied by a statement certifying that the economic impact of the proposal has been evaluated. EPA's guidelines on Economic Impact Analysis Statements (formerly Inflation Impact Statements) provide that regulations shall be considered a major action and shall require an Economic Impact Analysis under the following conditions: (1) If the incremental annualized costs of compliance, including capital charges, exceed $100 million in any year, (2) the incremental cost of production of any major product exceeds five percent of the selling price of the product, (3) net national energy consumption would be increased by the equivalent of 25,000 barrels of oil a day, or (4) the supply or demand of certain specified materials would be affected by more than three percent.

The Environmental Protection Agency has determined that these regulations do not constitute a major proposal requiring preparations of an Economic Impact Analysis for the reasons discussed below.

The proposed regulations (40 CFR Part 710) require that manufacturers report chemical substances manufactured for commercial purposes according to these regulations for the inventory required by section 8(b) of the Act. Reporting is restricted to the identities of commercial chemical substances and intermediates. EPA is not requiring data on use, production, byproducts or impurities.

As the identities of these chemical substances are generally know to the manufacturers, EPA is not requiring major expenditures to gather new information. Rather EPA is requiring a compilation of information readily available to persons familiar with the process chemistry involved. The total cost of complying with these reporting requirements is estimated to be in the $5 million range. EPA specifically requests comments by the chemical industry on the costs of preparing the accompanying draft reporting forms, including the approximate number of chemicals to be reported on each form (Form A and B), the average number of man-hours required per response, the estimated total man-hours required for responding, and other major costs, such as computer time, that may be associated with reporting.

PUBLIC COMMENTS

Interested persons are invited to submit written comments on these proposed regulations. To receive full consideration, comments must be received on or before May 9, 1977. Comments should be filed in triplicate and bear the identifying notation OTS-081001. Comments should be addressed to the Federal Register Section (WH-557), Office of Toxic Substances, Attention: Vickie Briggs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. All written comments filed pursuant to this notice will be available for public inspection in the Office of Toxic Substances, Room 715, from 8:30 a.m. to 4:30 p.m., Monday through Friday.

The Environmental Protection Agency has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Analysis Statement under Executive Order 11821 and OMB Circular A-107.

Dated: March 2, 1977.

JOHN QUARLES,
Acting Administrator.

It is proposed to establish in 40 CFR Chapter I a new Subchapter R, Toxic Substances, consisting at this time of new Parts 700 and 710 to read as follows:

PART 700—GENERAL PROVISIONS

SUBCHAPTER R—TOXIC SUBSTANCES

Sec.
700.1 Scope.
700.2 Definitions.

AUTHORITY: Sec. 8, Toxic Substances Control Act.

§ 700.1 Scope.

This subchapter sets forth rules pursuant to the Toxic Substances Control Act.

§ 700.2 Definitions.

For purposes of this subchapter:

(a) "Act" means the Toxic Substances Control Act, 15 U.S.C. 2601, et seq.

(b) "Administrator" means the Administrator of the U.S. Environmental Protection Agency or any employee of the Agency to whom the Administrator may either herein or by order delegate his authority to carry out his functions, or any person who shall by operation of law be authorized to carry out such functions.

(c) "Byproduct" means a secondary chemical substance produced during the manufacture, processing, storage, or end use of another chemical substance or product: *Provided*, That a secondary substance does not appear only as an impurity of the substance or product.

(d)(1) "Chemical substance," except as provided in paragraph (d)(2) of this sections, means any organic or inorganic substance of a particular molecular identity, including (i) any combination of such substances occurring in whole or in part as a result of a chemical reaction or occurring in nature, and (ii) any chemical element or uncombined radical.

(2) Such term does not include—(i) Any mixture, (ii) Any pesticide when manufactured, processed, or distributed in commerce for use as a pesticide, (iii) Tobacco or any tobacco product, but not including any derivative products, (iv) Any nuclear source material, special nuclear material, or nuclear byproduct material, (v) Any pistol, firearm, revolver, shells, and cartridges, and (vi) Any food, food additive, drug, cosmetic, or device when manufactured, processed, or distributed in commerce for use as a food, food additive, drug, cosmetic, or device.

(e) "Commerce" means trade, traffic, transportation, or other commerce (1) between a place in a State and any place outside of such State, or (2) which affects trade, traffic, transportation, or commerce described in paragraph (e)(1) of this section.

(f) "Cosmetic" means (1) articles intended to be rubbed, poured, sprinkled or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness or altering the appearance, and (2) articles intended for use as a component of any such article; except that such term shall not include soap, (as defined by 21 U.S.C. 321).

(g) "Devise" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component, part, or accessory which is (1) recognized in the official National Formulary, or the United States Pharmacopeia, or any supplement to them, (2) intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment or prevention of disease, in man or other animals, or (3) intended to affect the structure or any function of the body of man or other animals, and which does not achieve any of its principal intended purposes through chemical action within or on the body of man or other animals and which is not dependent upon being metabolized for the achievement of any of its principal intended purposes (as defined by 21 U.S.C. 321).

(h) "Distribute in commerce" and "distribution in commerce" when used to describe an action taken with respect to a chemical substance or mixture or article containing a substance or mixture mean to sell, or to transfer the ownership, of the substance, mixture, or article in commerce, to introduce or deliver for introduction into commerce, or the introduction or delivery for introduction into commerce of, the substance, mixture, or article; or to hold, or the holding of, the substance, mixture, or article after its introduction into commerce.

(i) "Drug" means (1) articles recognized in the official United States Pharmacopeia, official Homeopathic Pharmacopeia of the United States, or official National Formulary, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; and (3) articles (other than food) intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any article specified in paragraphs (i) (1), (2), or (3) of this section; but does not include devices or their components, parts, or accessories (as defined by 21 U.S.C. 321).

(j) "Environment" includes water, air, and land and the interrelationship which exists among and between water, air, and land and all living things.

(k) "EPA" means the U.S. Environmental Protection Agency.

(l) "Food" means (1) articles used for food or drink for man or other animals, (2) chewing gum, and (3) articles used for components of any such article, (as defined by 21 U.S.C. 321). The term food also includes poultry and poultry products (as defined in sections 4(e) and 4(f) of the Poultry Products Inspection Act), meat and meat food products (as defined in section 1(j) of the Federal Meat Inspection Act), and eggs and egg products (as defined in section 4 of the Egg Products Inspection Act).

(m) "Food additive" means any substance the intended use of which results or may reasonbly be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any blood (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food; and including any source of radiation intended for any such use), if such substance is not generally recognized, among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown through scientific procedures (or in the case of a substance used in food prior to January 1, 1958 through either scientific procedures or experience based on common use in food) to be safe under the conditions of its intended use; except that such term does not include (1) a pesticide chemical in or on a raw agricultural commodity; or (2) a pesticide chemical to the extent that it is intended for use or is used in the production, storage or transportation of any raw agricultural commodity; or (3) a color additive; or (4) any substance used in accordance with a sanction or approval granted prior to the enactment of the Federal Food, Drug and Cosmetic Act, the Poultry Products Inspection Act or the Meat Inspection Act; or (5) a new animal drug (as defined by 21 U.S.C. 321).

(n) "Importer" means any person who imports any chemical substance or article containing such substances into the customs territory of the U.S. and includes: (1) The person primarily liable for the payment of any duties on the merchandise, or (2) an authorized agent acting on his behalf (as defined in 19 CFR 1.11).

(o) "Impurity" means a chemical substance which is unintentionally present in another chemical substance.

(p) "Intermediate" means any chemical substance (1) (i) that is deliberately present in a chemical reaction sequence used to produce or process another chemical substance, (ii) whose presence is known or reasonably ascertainable, and (iii) which could be isolated an identified under conditions which are practically encountered in the environment, or (2) is an intentionally present catalyst.

(q) "Manufacture" means to produce, manufacture, or import into the customs territory of the United States.

(r) Manufacture or process for "commercial purposes" means to manufacture or process a chemical substance or mixture (1) for distribution in commerce, or (2) for use by the manufacturer or processor.

(s) "Mixture" means any combination of two or more chemical substances if the combination does not occur in nature and is not, in whole or in part, the result of a chemical reaction. Such term does include (1) any combination which occurs, in whole or in part, as a result of a chemical reaction if none of the chemical substances comprising the combination is a new chemical substance and if the combination could have been manufactured for commercial purposes without a chemical reaction at the time the chemical substances comprising the combination were combined, (2) any combination of chemical substances which is the result of solution or hydration; and (3) any combination which occurs as a consequence of a reaction which may take place if a chemical substance which functions as a stabilizer, colorant, antioxidant, filler, solvent, carrier, sur-

factant, or plasticizer is added to another chemical substance and performs as intended.

(t) "New chemical substance" means any chemical substance which is not included in the inventory compiled and published under section 8(b) of the Act.

(u) "Nuclear byproduct material" means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material (as defined by 42 U.S.C. 2014(e)).

(v) "Nuclear source material" means (1) uranium, thorium, or any other material which is determined by the Commission pursuant to the provisions of 42 U.S.C. 2091 to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Commission may by regulation determine from time to time (as defined by 42 U.S.C. 2014(z)).

(w) "Person" means any natural or juridical person including any individual, corporation, partnership, or association, any State or political subdivision thereof, any interstate body and any department, agency, or instrumentality of the Federal government.

(x) "Pesticide" means (1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and (2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant (as defined by 7 U.S.C. 136 (u)).

(y) "Process" means the preparation of a chemical substance or mixture, after its manufacture, for distribution in commerce (1) in the same form or physical state as, or in a different form or physical state from, that in which it was received by the person so preparing such substance or mixture, or (2) as part of an article containing the chemical substance or mixture.

(z) "Processor" means any person who processes a chemical subsance or mixture.

(aa) "Small quantities for scientific experimentation or analysis or chemical research on, or analysis of, such substance or another substance, including any such research or analysis for the development of a product" (hereinafter sometimes shortened to "small quantities for research"), means such amounts of a substance manufactured or processed or proposed to be manufactured or processed which meet the following conditions: (1) The quantities are no greater than reasonably necessary for such purposes; (2) the quantities are limited to amounts used solely for such purposes; and, (3) after (the effective date of premarket notification requirements), such research is conducted by, or directly supervised by, a technically qualified individual(s).

(bb) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, or any other material which the Commission, pursuant to 42 U.S.C. 2071, determines to be special nuclear material, but does not include source material; or (2) any material artifically enriched by any of the foregoing, but does not include source material (as defined by 42 U.S.C. 2104 (aa)).

(cc) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa, the Northern Mariana Islands, or any other territory or possession of the United States.

(dd) "Technically qualified individual" means a person who because of his education, training, or experience, or combination of such factors, is capable of appreciating the health and environmental risks associated with exposure to the chemical substance which is used under his supervision, and who because of his position can enforce appropriate methods of conducting scientific experimentation, analysis, or chemical research in order to minimize such risk.

(ee) "Test marketing" means the distribution of a predetermined amount of a chemical substance or article containing such chemical substance by a manufacturer or processor to a defined number of potential customers for purposes of evaluating that substance or article for a particular use or uses or for assessing the potential demand for the product, during a predetermined testing period prior to distribution of such chemical substance or article in commerce.

(ff) "United States," when used in the geographic sense, means all of the States.

PART 710—INVENTORY REPORTING

Sec.

710.1 Purpose and scope.
710.2 Definitions.
710.3 Applicability.
710.4 Reporting chemical substances for the inventory.
710.5 Exceptions and prohibitions.
710.6 Confidentiality.

AUTHORITY: Sec 8, Toxic Substances Control Act.

§ 710.1 Purpose and scope.

This part establishes regulations governing reporting by manufacturers and processors of chemical substances under section 8(a) of the Toxic Substances Control Act (15 U.S.C. 2607) for purposes of compiling the inventory of chemical substances manufactured or processed for commercial purposes required pursuant to section 8(b) of the Act. In accordance with that section, EPA will periodically amend the inventory to include new chemical substances which are introduced into commerce, revise the categories of chemical substances, and make other amendments as appropriate.

§ 710.2 Definitions.

The terms used in this part are defined in § 700.2 of this chapter.

§ 710.3 Applicability.

(a) Except as provided in § 710.5(a), each chemical substance which has been manufactured or processed for a commercial purpose in the United States during the period beginning July 1, 1974, is eligible for inclusion on the inventory published in November 1977 under section 8(b) of the Act.

(b) Any person who manufacturers or has manufactured a chemical substance for commercial purposes in accordance with these regulations after January 1, 1977, must report that chemical substance for inclusion in the inventory of chemical substances required by section 8(b) of the Act.

(c) Any person who manufactured a chemical substance for commercial purposes in accordance with these regulations between the period July 1, 1974, to January 1, 1977, may report that substance for inclusion in the inventory. If a chemical substance was manufactured prior to July 1, 1974, but was processed after that date, a manufacturer may report such substance for the inventory if he certifies that the substance was processed after July 1, 1974.

(d) Any person who processes or has processed a chemical substance for commercial purposes in accordance with these regulations after July 1, 1974, may report that substance for inclusion in the inventory.

(e) Thirty days after the publication of the inventory, manufacturers or processors of any new chemical substance must comply with the premarket notification procedures to be established by regulation pursuant to section 5 of the Act, before manufacturing or processing that chemical substance for commercial purposes.

§ 710.4 Reporting chemical substances for the inventory.

Any person who manufactures or processes a chemical substance that should be included in the inventory shall follow these reporting procedures.

(a) Any person who intends to report a chemical substance for the inventory shall first consult the candidate list of chemical substances published by EPA.

(b) To report a chemical substance on the list for the November 1977 inventory, a manufacturer or processor must complete, sign, and submit to EPA inventory reporting Form A (EPA Form No.).

(c) To report a chemical substance manufactured or processed for a commercial purpose which was not included in the candidate list of chemical substances, a manufacturer or processor shall complete, sign, and submit the appropriate inventory reporting Form B (EPA Form No.).

(d) A polymer shall be considered to be identical to a listed polymer only if the constituent monomers of each are identical.

(e) Any chemical substance which has been manufactured or processed for commercial purposes in the United States between the period July 1, 1974, and September 1, 1977, should be reported between July 1 and September 1, 1977.

(f) Chemical substances manufactured or processed for commercial purposes for the first time in the United States after September 1, 1977, and before the effec-

tive date of the premarket notification requirements in December 1977, shall be reported to EPA upon their introduction into commerce.

(g) Any chemical substance which is not reported for inclusion on the inventory in accordance with these regulations is subject to premarket notification requirements for new chemical substances prior to manufacture for commercial purposes unless it can be shown that failure to report for inclusion in the inventory was for good cause.

§ 710.5 Exemptions and prohibitions.

(a) *Exemptions.* (1) Any chemical substance which is manufactured or processed in "small quantities for research," as defined in § 700.2(aa) of this chapter, is excluded from the inventory. Any person who distributes a chemical substance in commerce in amounts limited to such "smal quantities for research" to customers who use it solely for such purposes is exempted from reporting for the inventory.

(2) Any chemical substance which is (i) only an impurity, or (ii) only a by-product not used for any commercial purpose, is excluded from the initial inventory.

(3) Mixtures are execluded from the inventory. Each component chemical substance of a mixture, however, is to be reported.

(4) Raw agricultural commodities need not be reported. They automatically will be included in the inventory under the broad category of "raw agricultural commodities."

(5) Any mineral specifically designated in Appendix A of the candidate list need not be reported as it will automatically be included on the inventory. Other minerals, however, are subject to these reporting requirements.

(6) Any chemical substance included in the inventory which was not manufactured or processed for a commercial purpose in accordance with these regulations may be deleted at any time.

(b) *Prohibition.* Any manufacturer who fails to report as required by these regulations will be in violation of section 15(3)(B) of the Act and may be subject to penalties provided in Section 16 of the Act.

§ 710.6 Confidentiality.

(a) A manufacturer or processor may assert a business confidentiality claim concerning the chemical name or the fact he manufactures or processes a particular chemical substance for commercial purposes.

(b) Any claim for confidentiality shall be asserted in accordance with the rules of Part 2, Subpart B of Title 40 and will be disposed of in accordance with the rules of that part.

(c) If no claim of confidentiality accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the business.

(d) If a claim of confidentiality is asserted concerning a chemical name, the manufacturer or processor shall furnish the Agency (1) the confidential name; (2) a proposed name which is only as generic as necessary to protect the substance's confidential identity; (3) a list of the elements of the chemical substance and its molecular weight; and (4) a bibliography identifying any published literature and summaries of any unpublished information concerning the health and ecological effects and environmental behavior of the chemical substance.

(e) All claims of confidentiality must be submitted on a separate form from the form containing information not subject to claims of confidentiality.

APPENDIX I: REPORTING FORMS

The following forms make no provision for claims of confidentiality. EPA is considering use of color-coded forms to separate confidential from non-confidential submissions.

U.S. ENVIRONMENTAL PROTECTION AGENCY
REPORTING CHEMICAL SUBSTANCES FOR INVENTORY
(Section 8(a) and (b), Toxic Substances Control Act, 15 USC 2607)

Form Approved
OMB No. A

NOTE: READ ALL INSTRUCTIONS BEFORE COMPLETING

EPA Use Only

1. Company Name and Address:

2. Principal Technical Contact(s):

3. Statement
I hereby certify that the chemical substances designated below have been manufactured, processed, or imported for "commercial purposes", as defined by EPA by regulation, during the period beginning July 1, 1974, to the present. I understand that all information on this form may be made available to the public without further notice.

4A. Signature	4B. Name and Title (Typed)	4C. Date (mo,day,yr)

5. LIST OF CHEMICAL SUBSTANCES

No.	CAS Registry No.	Code Designation	No.	CAS Registry No.	Code Designation
1			21		
2			22		
3			23		
4			24		
5			25		
6			26		
7			27		
8			28		
9			29		
10			30		
11			31		
12			32		
13			33		
14			34		
15			35		

CONTINUED ON ATTACHED SHEET

INSTRUCTIONS

(FORM A: LISTING OF INVENTORIED CHEMICAL SUBSTANCES)

Section 8(b) of the Toxic Substances Control Act (15 U.S.C. 2607) requires the Administrator of the Environmental Protection Agency to compile, keep current, and publish a list of each chemical substance which is manufactured or processed for a commercial purpose in the United States within the period not to exceed three years before the effective date of the inventory reporting regulations (40 CFR Part 710).

To aid in such reporting, EPA has published a candidate list of chemicals which is available from the Agency. EPA has reason to believe these chemicals have been manufactured or processed in the United States during the period July 1, 1974, to the present. If any person wishes to report a chemical substance on this candidate list for inclusion on the November 1977 inventory, he should complete this form and certify that he manufactures, imports, or processes the chemical substance consistent with EPA's regulations governing compilation of the inventory.

A manufacturer or importer must report all chemical substances manufactured or imported for commercial purposes since January 1, 1977. Manufacturers, importers, and processors may report on these forms the chemical substances manufactured or processed for commercial purposes since July 1, 1974.

Every person who completes the attached form should carefully read the regulations (40 CFR Part 710). The completed form should be signed by a responsible officer of the company or his duly authorized designee and sent to the U.S. Environmental Protection Agency, Office of Toxic Substances, Attention: , 401 M Street SW, Washington, D.C. 20460.

Item(s)

1. Company name and address. Enter the complete name and address of the home office or headquarters of the company submitting the application.

2. Principal technical contact(s). Enter the name, telephone number including area code, and address of a person or persons whom EPA may contact for clarification of information submitted on this form.

2. Self-explanatory.

4. Signature. An individual authorized by a company officer to sign official documents for the company should enter his signature, title, and the date. The authorization should be in writing and available to EPA upon request.

5. List of chemical substances. For each chemical substance which the company proposes for inclusion on the inventory and which is found on the candidate list published by EPA, record the Chemical Abstract Services (CAS) Registry Number and Code Designation which is provided for each of the chemicals on that list.

Check the box indicating continuation on attached sheet if applicable. Continuation sheets should repeat Items 1 and continue numbering 41, 42, 43, 44, etc.

U.S. ENVIRONMENTAL PROTECTION AGENCY
REPORTING CHEMICAL SUBSTANCES FOR INVENTORY
(Section 8(a) and (b), Toxic Substances Control Act, 15 USC 2607)

Form Approved
OMB No. 8

NOTE: READ ALL INSTRUCTIONS BEFORE COMPLETING

EPA Use Only

1. Company Name and Address:

2. Principal Technical Contact(s):

3. Statement
I hereby certify that the chemical substances designated below have been manufactured, processed, or imported for "commercial purposes", as defined by EPA by regulation, during the period beginning July 1, 1974, to the present. I understand that all information on this form may be made available to the public without further notice.

4A. Signature	4B. Name and Title (Typed)	4C. Date (mo,day,yr)

5. CAS Registered Chemical Substance(s) _____ (List CAS Registry Numbers in 7)

6. Proposed Chemical Name Class 1 ___; 2 ___ (See Instructions)

7. Supplementary Information to Identify Chemical Substance

7A. Empirical Formula

☐ SUPPLEMENTAL SHEET ATTACHED

INSTRUCTIONS

(FORM B: PROPOSED ADDITION TO THE INVENTORY OF CHEMICAL SUBSTANCES)

Section 8(b) of the Toxic Substances Control Act (15 U.S.C. 2607) requires the Administrator of the Environmental Protection Agency to compile, keep current, and publish a list of each chemical substance which is manufactured or processed for a commercial purpose in the United States within the period not to exceed three years before the effective date of the inventory reporting regulations (40 CFR Part 710).

To aid in such reporting, EPA has published a list of chemicals which EPA has reason to believe have been manufactured or processed in the United States during the period July 1, 1974, to the present. The purpose of the attached form is to allow manufacturers and processors to report chemical substances which are not included on the published list but which should be included in the inventory published in November 1977.

A manufacturer or importer must report all chemical substances manufactured or imported for commercial purposes since January 1, 1977. Manufacturers, importers, and procesors may report on these forms the chemical substances manufactured or processed for commercial purposes since July 1, 1974.

In submitting the attached form, a company officer or designee must certify that inclusion of a chemical substance on the inventory is consistent with EPA's regulations governing compilation of the inventory. Accordingly, every person who completes the attached form should carefully read the regulations (40 CFR Part 710). The completed form should be sent to the U.S. Environmental Protection Agency, Office of Toxic Substances, Attention: , 401 M Street, SW, Washington, D.C. 20460.

Important: Before completing the form, please read the more detailed instructions that accompany the list of chemicals.

Item(s)

1. Company name and address. Enter the complete name and address of the home office or headquarters of the company submitting the application.

2. Principal technical contact(s). Enter the name, telephone number including area code, and address of person(s) whom EPA may contact for clarification of information submitted on this form.

3. Self-explanatory.

4. Signature. An individual authorized by a company officer to sign official documents for the company should enter his signature, title, and the date. The authorization should be in writing and available to EPA upon request.

5. CAS registered chemical substance(s). Any person who wishes to report a chemical substance or substances for the inventory (1) which is not on the candidate list of chemical substances and (2) for which the Chemical Abstracts Service (CAS) has assigned a registry number, may complete this form by listing the appropriate CAS registry numbers in the space provided, for "Supplementary Information to Identify Chemical Substance". If CAS registry numbers are supplied, check the box provided in Item 5 and omit Items 6 and 7a.

6. Proposed chemical name for chemical substances that do not have CAS registry numbers. Indicate whether the chemical substance proposed for addition to the inventory falls within class 1 or 2, as described as follows: Class 1 chemicals are distinct chemicals which can be represented by definite structural diagrams. For class 1 chemicals, provide a systematically derived chemical name that uniquely defines the chemical. If such a name is not known, provide trade or common name synonyms.

Class 2 chemicals are those which cannot be named by a class 1 description. Propose an appropriate name following the instructions provided with the candidate list, or provide a common name or synonym.

7. Supplementary information to identify chemical substance(s). For class 1 chemicals, provide the empirical formula, or inventory of the atoms present in the molecule without regard to how the atoms are bonded. In the large space provided, for class 1 chemicals draw the structural diagram of the chemical substance indicating the atoms, bonds, valence, and, if relevant, stereochemistry.

For class 2 chemicals, provide a suggested descriptive term for inclusion in the inventory. This term may be a product name used by the company other than a trade name. In addition, provide to the best of your ability the method used in the final reaction sequence to create the reported chemical substance, and a description of the precursor chemicals. If a precursor chemical is included on the published list, provide the CAS registry number and code designation assigned to that chemical. If the precursor is not listed, a manufacturer or importer of that chemical must complete a separate form B.

[FR Doc.77-6978 Filed 3-8-77;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 61]

[Doc. No. 21005]

INTERNATIONAL TELEX SERVICE WITH DOMESTIC TELEX AND TWX SERVICES

Interface; Extension of Comment Period

Adopted: February 22, 1977.

Released: February 28, 1977.

Order. In the matter of interface of the International Telex Service with the Domestic Telex and TWX Services, Docket No. 21005.

1. Before us for consideration are the motions for extension of time for the filing of comments filed February 9, 1977 by RCA Global Communications (RCA), and February 15, 1977 by ITT World Communications Inc. (ITT). The notice of proposed rulemaking in this proceeding, FCC 76-1088, released December 9, 1976 [1] established January 24, 1977 as the date for filing comments, February 21, 1977 for filing responses, and March 7, 1977 for filing replies. These dates were extended thirty days in light of a pending request to modify and clarify issues [2] and the current comment filing date is February 24, 1977.

2. In support of its request ITT asserts that its evaluation of the impact of the Commission's proposal, particularly in light of the denial of the petition to modify and clarify the issues, which allegedly necessitates inclusion of the effects of all possible issues, will be completed in approximately three weeks. Following this evaluation, ITT continues, a period for management review and comment preparation processes will be required. ITT estimates that an extension of forty-five days is required in order to produce a reasonable initial response to the Commission's proposal.

3. RCA asserts that significant efforts are required to develop information and perform background work it considers "an essential prerequisite" to the preparation of its filing. Specifically, RCA sets forth a "Milestone Schedule" outlining a ten week schedule for assembling revenue and cost program studies, including management review, and an additional two weeks for preparation and submission of its initial comments. RCA states that an extension of not less than ninety days is warranted in order for it to constructively address the Commission's proposal.

4. The Commission stated in its rulemaking notice that the complaints and associated pleading leading up to this proceeding "raised substantial questions that United States telex users are unduly restricted in the availability and flexibility of telex service." The Commission further stated its belief that current practices disserve the public interest, and that under the Communications Act an obligation exists to assure U.S. telex users universal access on reasonable terms and conditions. It is in the public interest that this proceeding be conducted expeditiously and that the issues be resolved without undue delay. The current filing date is seventy-two days after publication of the Commission's notice in the FEDERAL REGISTER.[3] The ninety day extension now sought by RCA appears to be unduly long, particularly in view of the apparent ability of the other carriers to prepare comments in a shorter time. Furthermore, the milestone schedule submitted does not indicate when the studies were commenced. RCA has had the opportunity to proceed with the preparation of its comments since the comment period began to run. ITT's schedule does not appear unreasonable and reflects on-going efforts. Two parties have informed the Commission that, while they are prepared to file on February 24, they do not object to a limited extension of time if the extension appears warranted.

[1] 41 FR 54500, December 14, 1976, and 42 FR 10856, February 24, 1977.

[2] By Memorandum Opinion and Order, FCC 77-112, released February 17, 1977 the Commission denied a Petition to Specify, Modify, Enlarge and Clarify Issues filed by ITT.

[3] RCA previously supported a Western Union International motion to extend the original filing deadline of January 24, 1977 for a period of ninety days, a period sixty days later than the current filing deadline. By delegated authority the Chief, Common Carrier Bureau granted a thirty day extension in order that the Commission could act on the interlocutory request and denied the additional time requested.

5. We conclude that a sixty day extension of time would be in the public interest in order to assure the compilation of a full record to assist the Commission's determination of the issues. We believe that our action herein establishes a schedule permitting the development of a full record in an expeditious manner.

6. *Accordingly, it is ordered,* That pursuant to delegated authority, 47 CFR 0.303(c) (1976), comments, responses, and replies shall be filed in accordance with the following schedule:

(a) Comments shall be filed on or before April 25, 1977;

(b) Responses to those comments may be filed on or before May 25, 1977; and

(c) Replies may be filed on or before June 8, 1977.

WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc.77-6966 Filed 3-8-77;8:45 am]

[47 CFR Part 73]

[Doc. No. 20863; RM-2624]

TABLE OF ASSIGNMENTS, FM BROADCAST STATIONS; ROME, OR UTICA, N.Y.

Denial of Petition for Rule Making

Adopted: March 2, 1977.

Released: March 7, 1977.

Memorandum opinion and order—Proceeding terminated. In the matter of Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Rome, New York), Docket No. 20863, RM-2624.

1. The Commission has before it the notice of proposed rulemaking adopted June 23, 1976 (41 FR 27389), proposing the assignment of FM Channel 273 to Rome or Utica, New York. The only comments filed in response were those of petitioner, Promedia Communications, Inc. ("Promedia"), licensee of daytime-only AM Station WRNY at Rome, New York, seeking the assignment of its present city of license.

2. The petition pointed out that the only full-time broadcast services licensed to Rome (population 50,148),[1] the second largest community in Oneida County, New York (population 273,037), are Stations WKAL-AM-FM which are commonly owned and simulcast 100 percent of the time.[2] It was further asserted that a second FM station would facilitate getting emergency messages, warnings and advisories to the residents of Rome.[3] Letters from community leaders submitted by Promedia with its petition, indicated that an additional full-time broadcast facility at Rome was necessary for live coverage of local sports events and municipal board meetings occurring in the evenings. While the Notice stated that preclusion, with the exception of Utica, would be minimal and that Canadian approval had been obtained for the proposed transmitter site,[4] it also pointed out that assigning Channel 273 to Rome would not provide a first or second FM service or a new nighttime service to any area. Rather, it would result in the intermixture at Rome of Class A and B FM channels. Although petitioner asserted that no Class A channel was available for assignment to Rome and that Channel 273 was available only for assignment at either Rome or Utica, New York, we pointed out in the Notice our hesitance to add a Class B channel to a community with only a Class A channel absent a convincing public interest showing. Because assignment of the channel to Rome would preclude its otherwise possible use at Utica it was requested that Promedia inform us in its comments whether any channels other than 273 were available for future assignment to Utica and whether Class B channels other than 273 were available for assignment at Rome.

3. Petitioner notes that Class B Channel 235 would be available for assignment to Utica if the transmitter site is located in an area six miles east and two miles south of Utica's reference point. However, asserts Promedia, if Channel 237A presently vacate and assigned to Cazenovia, New York, were to be used at Manlius, New York, as is presently being requested,[5] the site selection for Channel 235 at Utica would be improved and Channel 235 would be available for assignment at Rome (as a possible replacement for the current Class A channel). We note, however, that although Channel 235 is technically feasible for assignment at Utica or Rome, it cannot realistically be used at these locations because of an interference problem. In fact, we earlier substituted Channel 254 for Channel 235 at Utica, in part, to avoid potential second harmonic interference to reception of the Syracuse Channel 9 television station (WNYS-TV) in the Utica area.[6]

4. It is our general policy to avoid intermixing classes of FM channels in the same community, as proposed by petitioner, in order that all local stations may have the opportunity to obtain comparable facilities for service and competition.[7] As pointed out by Promedia, we have occasionally departed from this policy in those areas where FM allocations are becoming more difficult to obtain. The circumstances of this case, however, as petitioner also notes, do not parallel those normally relied upon by the Commission. This is not a situation in which a party finding no other available channel seeks a Class A channel even though the others already in the community are Class B or C. In those cases, the proponent runs the risk of not being able to compete with a more powerful station and the public stands to receive the gains since the channel is the only one which could be used in those locations. Thus, the public would not lose and might well benefit by intermixture of this variety.[8] In this situation, however, the public could well lose a viable Class A station without being assured of the establishment or the success of the new Class B station.

5. In support of intermixture, petitioner cites three cases, one of which. In the Matter of Yakima, Washington, 42 FCC 2d 548 (1973), is inapplicable because it involves assignment of a Class A channel to a community with pre-existing Class C channels rather than assignment of a Class B/C channel in a community with a pre-existing Class A channel. The other proceedings cited as precedent, In the Matter of Oak Ridge, Tennessee, 32 FCC 2d 937, 940 (1972), and In the Matter of Parkersburg, West Virginia, 37 FCC 2d 54, 56 (1972), differ from the instant situation in that assignment of a Class C channel to Oak Ridge and a Class B channel to Parkersburg, when considering AM nighttime service, provide service to substantial unserved (no aural service) and underserved (one aural service) areas. The instant proposal would provide neither a first nor a second FM service to any area. Thus, petitioner has not indicated the compelling public interest consideration evidenced in the Oak Ridge and Parkersburg cases. Nor has Promedia shown any other important public need that would be served warranting deviation from our intermixture policy.

6. In the alternative, petitioner argues that Rome and Utica are so close geographically that they may be considered the same market. Since the four Class B stations at Utica presently provide a city grade signal to Rome, it is argued, the Rome-Utica area is already intermixed. Promedia contends that intermixture should not be considered a significant stumbling block to the proposed assignment. However, as petitioner recognizes, our policy against intermixture of channels applies to assignments within the same community not to those within the same county. Moreover, if we considered the market as a whole, assigning a Class B channel to Rome would only worsen the intermixture situation in the market and create intermixture in Rome itself for the first time. The proximity of Rome and Utica alone does not warrant applying the intermixture pol-

---

[1] All population information is from the 1970 U.S. Census.

[2] Under § 73.242 of the Commission's rules, such simulcasting will soon be limited to 50 percent and later to 25 percent.

[3] But see § 73.98 of the Commissions rules which permits daytime-only stations such as petitioner's to broadcast emergency announcements during hours when it ordinarily is not permitted to operate if the emergency so requires.

[4] If Channel 273 were assigned to Rome, its transmitter site would have to be located eleven miles south of Rome (which would also locate it nine miles west of Utica) to meet separation requirements with co-channel CBOF at Ottawa-Hull, Ontario.

[5] Mutually exclusive applications to use Channel 237A at Manlius, New York, have been filed by Manlius Broadcasting, Inc. (BPH-9992) and AGK Communications, Inc. (BPH-10331).

[6] See In the Matter of Utica, New York, 33 FCC 2d 901, 902 (1972).

[7] See In the Matter of St. Augustine, Florida, FCC 77-23, released January 13, 1977; and In the Matter of Fayetteville, N.C., FCC 2d 1067, 1075 (1974).

[8] See In the Matter of Iowa City, Iowa, 46 FCC 2d 520, 523 (1974).

icy in the fashion suggested. No compelling arguments have been offered to justify this unusual approach.

7. In regard to assigning Channel 273 to Utica, there has neither been an expression of interest in the proposal nor does Utica's population of 91,611 appear to warrant a fifth assignment.* Moreover, petitioner's contention that if the proposed assignment is not made to either Rome or Utica, Channel 273 will be wasted, is not necessarily correct. The existence of this vacant channel might well make a reallocation of other frequencies in other communities possible.

8. After careful consideration of the supporting comments filed by petitioner, we conclude that the public interest, convenience and necessity would not be served by the assignment of Channel 273 to either Rome or Utica, New York.

9. *Accordingly, it is ordered,* That the subject petition for rule making is denied.

10. *It is further ordered,* That this proceeding is terminated.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.77-6965 Filed 3-8-77;8:45 am]

*See the population criteria in para. 4 of the Further Notice of Proposed Rule Making in Docket No. 14185 (FCC 62-867) and incorporated by reference in para. 25 of the Third Report, Memorandum Opinion and Order, 40 FCC 747, 758 (1963).

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

CIVIL AERONAUTICS BOARD

[Doc. No. 30528; Order 77-2-95]

AMERICAN AIRINES, INC.

Order Regarding Container Charges Between New York and Los Angeles/San Francisco

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of February 1977.

By tariff revisions[1] posted January 5 and marked for effectiveness February 19, 1977, American Airlines, Inc. (American) proposes the following:

1. Add Type M–1 container specific commodity rates and charges for 47 different classifications of commodities from New York to Los Angeles and San Francisco. The proposed rates are set at an identical level per container, offer discounts of approximately 25 percent below current general commodity rates, and require a minimum tender of 45,000 pounds per shipment. The proposed rates bear an expiry date of February 20, 1978. The carrier also proposes to establish a mixed specific commodity rating rule in connection with the foregoing proposal which permits the shipper to combine any of the 47 commodities in a shipment: 2. Add single M–1 container specific commodity rates for wearing apparel from New York to Los Angeles and San Francisco, and from Los Angeles to New York: and L–3 container specific commodity rates on cloth from New York to Los Angeles.

In support of its 45,000-pound proposal, American contends, inter alia, that it will (1) generate approximately 15 million pounds of traffic representing over $3.3 million in annual revenue; (2) divert most of this traffic from charter to scheduled service; and (3) recover noncapacity costs plus about 70 percent of capacity costs. The carrier also states that the high minimum tender requirement will prevent the diversion of higher rated traffic to the new rates. In support of its proposed rates on wearing apparel and cloth, American states that they will generate about 4 million pounds of traffic annually, representing revenues of over $1 million, and will recover between 64 and 75 percent of capacity costs.

Complaints requesting suspension and investigation of the proposed charges for 45,000-pound tenders and the mixed shipment rule related thereto have been filed by Airlift International, Inc. (Airlift), The Flying Tiger Line, Inc. (Tiger), and Trans World Airlines, Inc. (TWA).[2] The complaints contend, inter alia, that the proposal involves multi-container rates which are not cost justified and are unjustly discriminatory against the small shipper; that the proposal contravenes the established Board policy of permitting volume discounts only upon a showing that the reduced rates are reasonably related to the reduced costs of transportation; that the proposal represents a device to make the 45,000-pound container weightbreak available to a few large shippers without labeling it as a general commodity rate; that the charging of identical discount rates for a large and diverse number of commodities in mixed shipments is sufficient reason to find that the instant proposal constitutes unduly discriminatory pricing vis-a-vis traffic that must bear the general commodity rate; and that the proposal represents a totally unwarranted departure from the rule of equality in ratemaking.

Tiger has filed a separate complaint against the proposed specific commodity rates on wearing apparel and cloth contending, among other things, that the proposed rates are wholly unjustified reductions; and that American has failed to provide any basis for the Board to conclude that the proposed rates would generate sufficient new traffic to off-set industry dilution on existing traffic or that the new rates are priced at the maximum level of the traffic's value of service, which is very high for wearing apparel. Tiger further contends that, if the proposed rates become effective, it will be forced to reduce not only its competitive New York rates but also its Philadelphia rates, resulting in a net annual dilution of almost 162,000.

Shulman Air Freight, Inc. (Shulman), an air freight forwarder, has filed a consolidated answer to the complaints, contending, inter alia, that American's proposal represents an innovative rate package clearly designed to enhance the economies of large volume tenders in the nation's single most important air freight market; that, with respect to the 45,000–pound minimum tender rates, neither Tiger nor TWA makes any claim of traffic diversion; that American has made significant investments in freighter aircraft and this has been one of the few bright spots in an otherwise dismal pattern of continual freighter reductions; and that the proposal should be permitted to become effective because the risk of success or failure will be borne by American, not by the shipping public.

In its answer to the complaints against the proposed 45,000-pound tender rates and mixed shipment rule, American contends, inter alia, that, in establishing the identical rate for several commodities, it has actually increased 15 existing specific commodity rates and slightly reduced 6 others; that the proposal represents an adoption of numerous specific commodity rates existing in both these and other markets, and available both on American and other carriers, at a common level; that it contains a mixing rule that reflects the operating efficiencies of the B–747 freighter; that a uniform rate for different commodities is designed to simplify the application of the commodity mixing rule and the freight rate structure; and that consolidation of specific commodity traffic into larger containers will produce operating efficiencies and reduce the cost of air transportation. In answer to the complaint against its proposed single container rates on cloth and wearing apparel, American asserts that Tiger's estimate of dilution resulting from American's proposal is in error because it has ignored the higher rate and higher minimum weight of American's M–1 container; and the Board does not have a policy of protecting bulk specific commodity rates against lower container specific commodity rates resulting from more efficient container operations.

Upon consideration of the tariff filings, complaints and answers thereto, and all other relevant factors, the Board finds that the proposed charges for M–1 containers with a minimum tender of 45,000 pounds and the mixed shipment rule applicable to these charges may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated.[3]

American's minimum tender of 45,000 pounds requires between three and eight containers. There is little question that the proposed charges, applicable to 47 different commodities that may be combined in any shipment, are, for practical purposes, general commodity charges. In fact, American itself, in the justification acompanying its tariff transmittal, compares the proposed charges with currently effective single M–1 container general commodity charges, showing that the proposal involves a 25-percent discount.

The above discount, assuming 6,000 pounds in a container, amounts to about $428 per container from New York to Los Angeles and $439 per container from New York to San Francisco. However, the cost reductions to American resulting from transporting the number of containers required to meet the tender of 45,000 pounds are miniscule in comparison with the foregoing rate reductions. We estimate that, based upon in-

[1] Revisions to Airline Tariff Publishing Company, Agent, Tariff C.A.B. No. 227.

[2] TWA's complaint requests rejection or suspension and investigation.

[3] The Board finds no valid basis for rejection.

dustry-average costs,[4] the cost savings to American would amount to between about $2.90 and $3.70 per container. These savings would amount to less than one percent of the discount offered in its proposal.

The Board, however, has concluded not to suspend the foregoing proposals pending investigation. Although the Board, in a number of decisions, has found volume discounts not based on reduced costs unjustly discriminatory,[5] we have also concluded that competition may be a justification for discrimination.[6] American justifies its proposal as an attempt to compete with forwarder air charter services.[7] Furthermore, neither Tiger nor TWA allege that they would suffer diversion or dilution from their scheduled services. Although an investigation is desirable to determine whether this competition justifies the discriminatory aspects of the proposal and to provide further insight into the entire issue of volume rates, we are loath to prevent, pending the results of this investigation, the public from enjoying these lower rates.

With respect to American's proposed container rates on wearing apparel and cloth, we find that investigation is not warranted, and the request therefor, and consequently the request for suspension, will be dismissed. The proposed rates exceed noncapacity costs and make a contribution toward capacity costs of between about 65 and 75 percent.[8] Furthermore, the Board has for some time granted carrier management considerable flexibility discretion with respect to specific commodity rates.[9]

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof:

It is ordered, That:

1. An investigation is instituted to determine whether the rates, charges, and provisions described in Appendix A hereto,[*] and the rules, regulations and practices affecting such rates, charges, and provisions, including subsequent revisions or reissues thereof, are, or will be, unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful charges and provisions and rules, regulations, or practices affecting such rates, charges, and provisions;

2. The proceeding herein designated Docket 30528, be assigned for hearing before an administrative law judge of the Board at a time and place hereafter to be designated;

3. The complaints of Airlift International, Inc. in Docket 30364, The Flying Tiger Line Inc. in Dockets 30366 and 30368, and Trans World Airlines, Inc. in Docket 30369, except to the extent granted herein, are dismissed; and

4. Copies of this order shall be served upon American Airlines, Inc., Airlift International, Inc., The Flying Tiger Line Inc., Shulman Air Freight, Inc., and Trans World Airlines, Inc., which are hereby made parties to Docket 30528.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-6988 Filed 3-8-77;8:45 am]

[Doc. Nos. 29486, etc.; Order 77-3-16]

EASTERN AIR LINES, INC., ET AL.

Order Regarding Restoration of Certificated Air Service

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2nd day of March, 1977.

Application of Eastern Air Lines, Inc., Docket 29486, to amend its certificate; Application of Southern Airways, Inc., Docket 29306, to amend its certificate; petition of Savannah Airport Commission, Docket 29454, for an air service investigation; petition of the Brunswick, Georgia Parties, Docket 29644, for restoration of certificated air service; Service to Brunswick and Savannah Case, Docket 30570.

On June 28, 1976, the Savannah Airport Commission (Savannah) filed a petition in Docket 29454 seeking an investigation of the need for authorization of first competitive nonstop service between Savannah and Atlanta. On August 12, 1976, the Brunswick, Georgia, parties (Brunswick)[1] filed a petition in Docket 29644 seeking restoration of certificated air service particularly to and from Atlanta, but also between Brunswick and Savannah/Jacksonville.

Savannah, in support of its petition, states that Savannah-Atlanta is not only Savannah's most important air service segment but also dominates Savannah's air traffic network. Savannah states that in the year ended June 30, 1975, there were 359,580 coupon O&D passengers on the Savannah-Atlanta segment—out of a total for all Savannah passengers in all markets of 428,870—or nearly 84 percent of all Savannah passengers enplaned at one end of the segment and deplaned at the other. Savannah alleges that load factors in the Savannah-Atlanta market have been unreasonably high for a segment which so completely dominates and controls the flow of Savannah's traffic. Savannah believes that Delta's 1974 average annual load factor of 68 percent substantially understates the passenger delays and inconvenience which occurred since the overall coach load factors from March through August of 1974 were at, or near, the 80 percent level. Savannah also argues that competitive nonstop service will eliminate the monopoly and inadequacy of air transportation between Savannah and its major community of interest.

Eastern Air Lines, Southern Airways, and the Glynn Development Authority[2] filed timely answers in support of Savannah's petition.

Delta also filed a timely answer to Savannah's petition. Delta states that it does not oppose any reasonable effort by Savannah to improve its air service but does not believe the Savannah-Atlanta market requires another carrier. Delta suggests that the most effective method of meeting Savannah's expanded needs is to certificate Delta to provide direct north-south service between Savannah and northeast points on Delta's certificate for Route 27 (Washington, Baltimore, New York, Boston, and other points in New England).[3] Delta alleges that such authority would correct long-standing problems in north-south service which have stemmed from the apparent unwillingness of National to provide adequate services and the total abandonment of Savannah by Eastern when Eastern was deleted at Savannah in 1964.[4] In addition, Delta contends that the lack of service by Eastern and National has deprived Savannah of needed

---

[4] Although no data on M-1 containers were introduced in evidence in the Domestic Air Freight Rate Investigation (DAFRI), we have estimated such costs on the basis of industry-average Type A container costs submitted in that investigation, revised to reflect cost increases through September 30, 1976.

[5] Container Rates for B-747 Aircraft Proposed by Continental Airlines, Inc., Order 71-7-155/156, July 27, 1971, Airlift Blocked-Space Case, Order 73-4-25, Revised Aggregate Rates Proposed by WTC Air Freight, Order 73-2-61, Multicharter Cargo Rates Investigation, 47 C.A.B. 626 (1967), New York-San Juan Cargo Rates, 44 C.A.B. 599 (1966).

[6] Tour Basing Fares, 14 C.A.B. 257 (1951), Free and Reduced-Rate Transportation Case, 14 C.A.B. 481 (1951), Group Inclusive Tour Basing Fares to Hawaii, Order 70-7-60, July 13, 1970, and Military-Tender Investigation, 28 C.A.B. 902 (1959). See also the following court cases: Eastern-Central Motor Carriers Ass'n v. United States, 321 U.S. 194 (1944), Barringer & Co. v. United States, 319 U.S. 1 (1942), Texas and Pacific R.R. v. I.C.C., 162 U.S. 197 (1895).

[7] The entire question of forwarder charters is under investigation in Air Freight Forwarders' Charters Investigation, Docket 23287.

[8] See footnote 4, supra.

[9] See the Board's decision in United Air Lines, Inc., Specific Commodity Rates on Periodicals, Floral Products, and Seafood, Docket 22157, Order 72-11-78, November 20, 1972.

[*] Filed as part of the original document.

[1] The Brunswick parties are Glynn County, Georgia, acting through the Glynn Development Authority, the City of Brunswick, and the Brunswick-Golden Isles Chamber of Commerce.

[2] The Glynn Development Authority has primary responsibility for promoting the economic well being and progress of the Glynn County/Brunswick area of Georgia. In its answer, Glynn County stated that any investigation of Savannah's air service also should consider the need for new air service for Brunswick. Glynn County stated it would file a separate petition for an air service investigation which it did on August 12, 1976.

[3] Delta filed an application in Docket 29491 to amend its certificate for Routes 24, 27, and 54 to allow Delta to operate direct north-south service between Savannah and Delta's northeastern points.

[4] North-South Service at Savannah, 40 C.A.B. 32 (1964).

north-south service and has artifically inflated Delta's Savannah-Atlanta segment load factors.

Eastern filed a reply to Delta's answer accompanied by a motion to file an otherwise unauthorized document.[5] Eastern contends that Delta's request for north-south Savannah authority is a delaying tactic which the Board should reject. In addition, Eastern argues that in many cases service via Atlanta is preferable to a north-south direct routing to and from Savannah because many northeastern markets enjoying nonstop service to Atlanta are too small to support nonstop service to Savannah, and that the major northeast points of Boston, Philadelphia, New York, and Washington do not have a need for two-carrier competition to and from Atlanta that is true of the Savannah-Atlanta segment.

In support of its petition of August 12, 1976, the Brunswick parties state that the Board granted for a three-year period Delta's application for authority to suspend service at Brunswick based upon three findings:[6] (1) The Board found that Air South[7] was providing ample alternative air transportation in view of its then existing five daily round trips between Brunswick and Atlanta, three of which were with F-27 aircraft; (2) the Board found that Delta's cost of service was disproportionate to the benefits derived; and (3) the Board relied upon the fact that the Glynn Naval Air Station—the only airport serving Brunswick capable of handling jet aircraft—was scheduled to shut down by August 1974.

Brunswick argues that today at least two of the three foregoing findings of the Board are no longer valid. In early 1975, air service into Brunswick deteriorated significantly; the number of round trips has been reduced from six to one daily and all service utilizing F-27 aircraft has been eliminated.[8] Also, all scheduled flights in the Brunswick-Atlanta market now utilize nonpressurized non-air-conditioned, and non-radar-equipped DC-3's which have met with little community acceptance. As a result, the traffic has declined nearly 50 percent from 1974 levels. Brunswick also states that the former Naval Air Field was reactivated for civilian use on April 28, 1975, and is now known as the Brunswick-Golden Isles Municipal Airport—an active airfield capable of handling jet aircraft. In addition, the other Naval facilities located at the Glynco base were taken over on September 12, 1975, by the Federal Law Enforcement Training Center (Center), a division of the United States Treasury Department. Brunswick alleges that the initial annual student load was expected to be between 5,900 and 8,700 students per year but that the Center is gearing its capacity to accommodate a potential 100-percent increase in students per year within three years. In addition, the Brunswick parties note that they have been advised by the Assistant Director of the Center that at present 68 percent of the Center's traffic utilize air service and that the Center busses its students and staff to and from the Jacksonville airport. Brunswick argues that the opening of the Center and the growth of the Brunswick-Golden Isles area as a tourist spot in addition to Brunswick's existing and expanding industry and labor base requires the restoration of certificated air service.[9]

Finally, Brunswick does not wish to have the Board revoke Delta's temporary suspension authority because Delta would be a reluctant party and would not provide adequate promotion and full development of Brunswick's traffic potential. Brunswick believes that any proceeding should include the issue of deletion of Delta's authority at Brunswick in the event another carrier is certificated to serve Brunswick.

Answers in support of Brunswick's petition were timely filed by Southern Airways and the United States Department of the Treasury.

Delta also filed a timely answer to the Brunswick petition stating that it is willing to cooperate fully with Brunswick and to work toward the resolution of the community's certificated air service needs. Delta believes that since Southern has expressed interest in providing service to Brunswick that it would be appropriate for the Board to move expeditiously to consider Southern's application. Although Delta currently takes no position concerning the resolution of such an issue, the carrier urges the Board to reserve for itself the issue of deleting Delta's Brunswick authority. Should it be determined that air services for the community can best be provided through another certification, Delta does not believe that the current traffic is sufficient to support viable operations for two scheduled carriers—especially in view of the continued presence of a commuter air carrier.

Eastern also filed a timely answer to Brunswick's petition stating that it believes the community has offered a persuasive case for the restoration of at least limited Brunswick-Atlanta service but does not feel that an adequate reason has been offered for consolidation with Atlanta-Savannah. Eastern argues that to the extent that Brunswick needs nonstop service to and from Atlanta, the obvious remedy is to vacate the suspension order which permitted Delta to cease operating at Brunswick. Eastern opposes consolidating Atlanta-Brunswick with Atlanta-Savannah because it would unduly delay the Board in meeting the needs of both the Savannah and Brunswick communities for improved air service. Although Eastern feels that Brunswick has made an adequate case for nonstop service to and from Atlanta, it points out that Brunswick travelers do have access through Jacksonville to air transportation services which bypass the airport congestion at Atlanta. Eastern alleges that the driving time from Brunswick to the Jacksonville airport is in the range of an hour to an hour and a half and upon completion of Interstate 95 the drive will be 64 uninterrupted miles.

Upon consideration of the pleadings and the relevant facts, we have decided to institute an investigation to consider the need for new or additional authority between and among Atlanta, Savannah, Brunswick, and Jacksonville, subject to a pretrial restriction requiring all flights serving Atlanta and Jacksonville also to serve Savannah or Brunswick. In addition, we will place in issue the deletion of Delta's authority to serve Brunswick. The Atlanta-Savannah market with 166,200 true O&D plus connecting passengers for the year ended September 30, 1975, is one of the nation's largest markets in terms of both local O&D plus connecting passengers and nonstop flow that lacks competitive nonstop service. The Brunswick-Atlanta market offers the prospect of economic certificated service in light of the changed circumstances indicated by the Brunswick parties since Delta's service was suspended in 1974. We also deem it advisable to include the small Savannah-Brunswick-Jacksonville markets, in order to enable the Board to examine a full service proposal connecting these markets with Atlanta, such as Southern proposes in Docket 29306. Exclusion of these small markets, which ordinarily would not merit a priority hearing, could create a route pattern which would stub end at Brunswick, a point which is smaller than most other terminal points in the air transportation network. Moreover, the addition of these markets will not significantly increase the complexity of the proceeding. Finally, the pretrial restriction requiring Atlanta-Jacksonville flights to serve Savannah or Brunswick will assure that the primary focus on the investigation is upon the Atlanta-Savannah-Jacksonville and Atlanta-Brunswick-Jacksonville markets as well as minimizing any diversion from the carriers presently providing Atlanta-Jacksonville nonstop service.

We will not consider at this time Delta's suggestion in its answer to Savannah's petition to certificate Delta to provide direct north-south service between Savannah and the northeast points on Delta's certificate for Route 27. The issues involved are different from those in the proposed investigation, and including Delta's proposal would unnecessarily delay and complicate the proposed investi-

[5] We will grant Eastern's motion.

[6] Order 74-3-69, March 14, 1974.

[7] The corporate name "Air South" is used herein. However, Brunswick states that Air South has been taken over by Florida Airlines.

[8] Air South will provide 2-daily round trips in the Atlanta-Brunswick market effective December 15, 1976. OAG, December 1, 1976. The additional round trip does not alter our decision to institute the investigation indicated in the ordering paragraphs, *infra*.

[9] Brunswick estimates that in 1976 there would have been 108,000 passengers available to support certificated service between Brunswick and Atlanta. The forecast assumes a total two-year growth rate from the 1974 base of 12 percent, including Jacksonville diversion, and a further increase of 25,840 passengers as a result of the new demand created by the Center and the new convention facilities which have recently been opened.

gation. Furthermore, Delta's answer does not constitute a motion for immediate hearing on its application in Docket 29491 under Rule 18 of the Board's Procedural Regulations.

Finally, Eastern and Southern have not submitted sufficient information for us to determine the environmental consequences of their certificate amendment applications at this time. Therefore, we will require Eastern and Southern to file information set forth in Part 312 of the Board's Procedural Regulations. We will allow Eastern, Southern, and all other carriers filing applications in this proceeding 30 days from the date of adoption of this order to file their environmental evaluations.

Accordingly, it is orderd, that:

1. The petitions of the Savannah in Docket 29454 and Brunswick Parties in Docket 29644 to institute an air service investigation be and they hereby are granted;

2. The motion of Eastern Air Lines to file an otherwise unauthorized document be and it hereby is granted;

3. A proceeding to be known as the "Service to Brunswick and Savannah Case," Docket 30570, be and it hereby is instituted and shall be set down for hearing before an administrative law judge of the Board at a time and place hereinafter designated, as the orderly administration of the Board's docket permits;

4. The proceeding set for hearing in paragraph 3, above, shall include consideration of the following issues:

(a) Do the public convenience and necessity require the certification of an air carrier or air carriers to engage in new or additional air transportation between and among Atlanta, Savannah and Brunswick, Georgia, and Jacksonville, Florida?

(b) If the answer to (a) is in the affirmative, which carrier(s) should be authorized to engage in such transportation?

(c) What terms, conditions, and limitations, if any, should be placed upon the operation of such carrier(s)? and

(d) Should Delta's service at Brunswick, Georgia, be deleted?

5. Any authority awarded in this proceeding shall be granted without eligibility for subsidy;

6. Any authority awarded in the Atlanta-Jacksonville market shall be subject to a restriction that all flights serving Atlanta, Georgia, and Jacksonville, Florida, shall also serve Savannah, Georgia, or Brunswick, Georgia.

7. The applications of Eastern Airlines in Docket 29486 and Southern Airways in Docket 29306, be and they hereby are consolidated with the proceeding instituted by paragraph 3 above;

8. Delta Air Lines, Eastern Airlines, Southern Airways, the Brunswick Parties, the Savannah Airport Commission, and the United States Department of the Treasury be and they hereby are made parties to this proceeding;

9. Eastern Airlines, Southern Airways, and all other carriers filing applications in this proceeding shall file environmental evaluations pursuant to § 312.12 of the Board's Procedural Regulations within 30 days from the date of adoption of this order; and

10. Applications, motions to consolidate, and petitions for reconsideration of this order shall be filed within twenty (20) days from the service date of this order and answers thereto shall be filed no later than fifteen (15) days thereafter.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-6987 Filed 3-8-77;8:45 am]

[Doc. No. 26354]

NORTH CENTRAL AIRLINES, INC.; CERTIFICATE APPLICATION (MILWAUKEE/DULUTH/SUPERIOR-WINNIPEG)

Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding, which was assigned to be held on March 15, 1977 (42 FR 6868), is postponed until further notice.

Dated at Washington, D.C., March 3, 1977.

KATHERINE A. KENT,
Administrative Law Judge.

[FR Doc.77-6985 Filed 3-8-77;8:45 am]

[Doc. No. 30555]

TEXAS INTERNATIONAL AIRLINES, INC.

Prehearing Conference Regarding "Peanuts" Fares Investigation

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 31, 1977, at 9:30 a.m. (local time), in Room 1003, Hearing Room C, Universal North Building, 1875 Connecticut Avenue, Washington, D.C., before Administrative Law Judge Burton S. Kolko.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and six copies to the Judge of (1) proposed statements and issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before March 15, 1977, and the other parties on or before March 25, 1977. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., March 3, 1977.

HENRY M. SWITKAY,
Acting Chief
Administrative Law Judge.

[FR Doc. 77-6986 Filed 3-8-77;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

DR. GLENN W. KUSWA

Certification

Pursuant to the provision contained in section 207 of Title 18 U.S.C. (Pub. L. 87-849, 76 Stat. 1124), having found that Dr. Glenn W. Kuswa, formerly a physicist in the Division of Laser Fusion, Energy Research and Development Administration (ERDA), and presently an employee of Sandia Corporation at the Sandia Laboratories, possesses outstanding scientific qualifications, I certify that the national interest would be served by the said Dr. Glenn W. Kuswa acting as an agent for or appearing personally before ERDA on behalf of Sandia Corporation in connection with performance of work under Sandia's Contract No. AT(29-1)-789 with ERDA for the operation of the Sandia Laboratories, on matters in which he participated personally and substantially as an employee of ERDA or which were under his official responsibility as an ERDA employee.

This certification is directed to be published in the FEDERAL REGISTER.

Dated: February 28, 1977.

ROBERT W. FRI,
Acting Administrator.

[FR Doc.77-7023 Filed 3-8-77;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

SPECIAL CENSUSES

Availability of Data

The Bureau of the Census conducts a program whereby a local or State government can contract with the Bureau to conduct a special census of population. The content of a special census is ordinarily limited to questions on relationship to the head of the household, age, race, and sex, although additional items may be included at the request and expense of the sponsor. The enumeration in a special census is conducted under the same concepts which govern the Decennial Census.

Summary results of special censuses are published semiannually in the Current Population Reports—Series P-28, prepared by the Bureau of the Census. For each area which has a special census population of 50,000 or more, a separate publication showing data for that area, by age, race, and sex is prepared. If the area has census tracts, these data are shown by tracts.

The data shown in the following table are the results of special censuses conducted since June 30, 1976, for which tabulations were completed between February 1, 1977, and February 28, 1977.

Dated: March 2, 1977.

ROBERT L. HAGAN,
Acting Director,
Bureau of the Census.

State/place or special area	County	Date of census	Population
Arkansas:			
Atkins City	Pope	Nov. 18	2,639
Biscoe Town	Prairie	Nov. 17	561
White Hall City	Jefferson	Nov. 22	1,909
Idaho:			
Meridian City	Ada	Dec. 6	5,258
Illinois:			
Brighton Village	Macoupin and Jersey	Dec. 7	2,255
Henry City	Marshall	Nov. 29	2,655
Palatine Village	Cook	Nov. 18	31,447
Wheaton City	DuPage	Oct. 21	39,360
Will County, unincorporated area only		Oct. 18	98,393
Iowa:			
Springville City	Linn	Dec. 13	1,065
Michigan:			
Casco Township	St. Clair	Jan. 4	3,687
Newton Township	Calhoun	Dec. 13	1,798
Missouri:			
Raymore City	Cass	Nov. 9	2,109
Montana:			
Big Horn County		Oct. 28	10,618
Custer County		Sept. 30	12,979
South Carolina:			
Mauldin City	Greenville	Nov. 29	7,356
Tennessee:			
Gallatin City	Sumner	Dec. 16	14,374
Texas:			
Frio County		Oct. 14	12,702
Wisconsin:			
Barton Town	Washington	Dec. 9	2,125
Rosendale Village	Fond du Lac	Jan. 12	653
Stanley City	Chippewa	Jan. 3	2,101
Wyoming:			
Uinta County (part)		Nov. 30	7,972

[FR Doc.77-6770 Filed 3-8-77;8:45 am]

Domestic and International Business Administration

ADVISORY COMMITTEE ON EAST-WEST TRADE

Open Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V, 1975), notice is hereby given that a meeting of the Advisory Committee on East-West Trade will be held on Wednesday, March 30, 1977, at 9:30 a.m., in Room 4832, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

The Committee was established to advise the Department, through the Deputy Assistant Secretary for East-West Trade, on ways to facilitate and coordinate the expansion of two-way trade with countries having centrally planned economies, so as to enhance the balance of trade and payments situation.

Agenda items are as follows:

MORNING SESSION, ROOM 4832

9:30 A.M.-12:00 NOON

1. Review of miscellaneous items outstanding from previous meetings.

2. U.S. anti-trust enforcement policy for East-West trade. Synopsis of recent Justice Department publication. Anti-trust Guide for International Operations.

3. Review of potential problems faced by U.S. companies in locating personnel in the U.S.S.R., Eastern Europe, and the People's Republic of China.

AFTERNOON SESSION, ROOM 4832

1:00 P.M.-3:30 P.M.

4. Discussion of U.S. business views toward technology licensing to the U.S.S.R.

5. Discussion of the significance of whipsawing in East-West trade.

6. Review of items submitted by Committee members.

7. Review of items submitted by the public.

The meeting will be open to public observation and a period will be set aside for oral comments or questions by the public which do not exceed ten minutes each.

More extensive questions or comments should be submitted in writing before March 25, 1977. Other public statements regarding committee affairs may be submitted at any time before or after the meeting.

Approximately 20 seats will be available for the public (including 5 seats reserved for media representatives) on a first-come first-served basis.

Copies of minutes will be available 30 days after the meeting upon written request addressed to the Domestic and International Business Administration, Freedom of Information Officer, Freedom of Information Control Desk, Room 3012, U.S. Department of Commerce, Washington, D.C. 20230.

Inquiries should be addressed to William F. Kolarik, Jr., Committee Control Officer, Office of East-West Policy and Planning, Bureau of East-West Trade, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone (202) 377-4796.

ARTHUR T. DOWNEY,
Deputy Assistant Secretary for East-West Trade.

[FR Doc.77-6992 Filed 3-8-77;8:45 am]

Maritime Administration

[Doc. No. S-548]

LYKES BROS. STEAMSHIP CO., INC.

Application

Notice is hereby given that Lykes Bros. Steamship Co., Inc. (Lykes) has filed an application, dated February 11, 1977, for operating-differential subsidy for a proposed new service on Trade Route 18 between United States Atlantic and Gulf ports (Maine through Texas, inclusive) and ports in Southwest Asia from Suez to Burma, inclusive, and Africa on the Red Sea, the Gulf of Aden and the Gulf of Aqaba, with the privilege of providing service on Trade Route 10 between U.S. North Atlantic ports (Maine through Virginia, inclusive) and ports in Portugal, Spain south of Portugal, Atlantic Morocco, and the Mediterranean Sea (including the Adriatic Sea, Aegean Sea, Black Sea, and other seas which are arms of the Mediterranean).

The proposed service would be in addition to the present service of Lykes under Operating-Differential Subsidy Agreement, Contract No. FMB-59, and is an addition to its services under its proposed 20-year renewal for which an application is now pending. The Applicant proposes a maximum of 36 annual sailings on the proposed service with C3-S-37b/c/d, C4-S-66a and C5-S-37e/f type vessels provided that Sea Barge Carrier (SEABEE) vessels may be substituted on any or all such sailings on the basis of one SEABEE sailing for two sailings of conventional vessels. It is proposed that up to four barge carriers or Ro/Ro vessels will be subsequently constructed or acquired for the service.

Interested parties may inspect this application in the Office of the Secretary, Maritime Subsidy Board, Room 3099-B, Department of Commerce Building, 14th and E Streets, N.W., Washington, D.C. 20230.

Any person, firm or corporation having an interest in such application who desires to offer views and comments thereon for consideration by the Maritime Subsidy Board should submit them in writing, in triplicate, to the Secretary, Martime Subsidy Board, Washington, D.C. 20230, by the close of business on March 22, 1977.

The Maritime Subsidy Board will consider these views and comments, and take such action with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504, Operating-Differential Subsidies (ODS)).

Dated: March 4, 1977.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.77-6958 Filed 3-8-77;8:45 am]

[Doc. No. S-549]

WATERMAN STEAMSHIP CORP.

Application

Notice is hereby given that Waterman Steamship Corporation (Waterman), a New York Corporation, 120 Wall Street, New York, New York 10005, has filed an application dated February 11, 1976, as amended January 18, 1977, with the Maritime Subsidy Board, pursuant to Title VI (41 U.S.C. 1171-1183) of the

Merchant Marine Act, 1936, as amended, for an interim Operating-Differential Subsidy Agreement to aid in the operation of four C4 type vessels on its existing service on Trade Route No. 21 (U.S. Gulf/Western Europe), with the privilege of calling at ports in the Scandinavian and Baltic countries (including ports in the U.S.S.R.) and U.S.S.R. ports east of Finland in the Barents Sea, such Operating-Differential Subsidy Agreement to be in effect for a period which is the lesser of six months or the time required to complete the processing of Waterman's application for a long-term contract on Trade Routes Nos. 21, 5–7–8–9, 6 and 11 (Docket No. S–421). Waterman proposes to make a minimum of six and a maximum of ten sailings during the term of the proposed interim Operating-Differential Subsidy Agreement.

Interested parties may inspect this application in the Office of the Secretary, Maritime Subsidy Board, Room 3099–B, Department of Commerce Building, 14th and E Streets, N.W., Washington, D.C. 20230.

Any person, firm, or corporation having an interest in such application and who desires to offer views and comments thereon for consideration by the Maritime Subsidy Board should submit such views and comments in writing, in triplicate, to the Secretary, Maritime Subsidy Board, by the close of business on March 22, 1977. The Maritime Subsidy Board will consider such views and comments and take such actions with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504, Operating-Differential Subsidy (ODS))

Dated: March 4, 1977.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.77–6959 Filed 3–8–77;8:45 am]

National Oceanic and Atmospheric Administration

AMERICAN TUNABOAT ASSOCIATION

Receipt of Application for General Permit

Notice is hereby given that the following Applicant has applied in due form for a General Permit to take marine mammals incidental to the course of commercial fishing operations during 1977 as authorized by the Marine Mammal Protection Act of 1972 (U.S.C. 1361–1407) and the regulations thereunder.

The American Tunaboat Association, 1 Tuna Lane, San Diego, California, has applied for a general permit, category 2, "Encircling Gear, Yellowfin Tuna Purse Seining."

Copies of the application are available for review as follows: Office of the Director, National Marine Fisheries Service, Department of Commerce, 3300 Whitehaven Street, NW., Washington, D.C. 20235 (Telephone 202/634–7283); and Office of the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Interested parties may submit written data or views on this application or request a hearing in connection therewith, on or before April 8, 1977. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such a hearing is at the discretion of the Director. The views or hearing requests may be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235.

Dated: March 3, 1977.

ROBERT J. AYERS,
Acting Associate, Director for Resource Management, National Marine Fisheries Service.

[FR Doc.77–6957 Filed 3–8–77;8:45 am]

SATELLITE DATA ARCHIVING WORKSHOP

Meeting

Announcement is made of the following interagency meeting:

Name: Satellite Data Archiving Workshop.

Dates and times: March 15, 1977 (0830–1600); March 16, 1977 (0830–1300).

Place: MSL Conference Room, 7th Floor, World Weather Building, 5200 Auth Road, Camp Springs, Md.

Topics to be discussed: Satellite data currently archived. Future satellite data availability (TIROS–N, GOES, SEASAT, NIMBUS–G). User data requirements.

Sponsors: Department of Commerce, NOAA, Environmental Data Service and National Environmental Satellite Service.

The meetings are open to public attendance, but the seating space for observers is limited.

For further information, contact the Chief, Satellite Data Services Branch, National Climatic Center, EDS, NOAA, Room 606, World Weather Building, Camp Springs, Md. 301–763–8111.

Dated: March 7, 1977.

T. P. GLEITER,
Assistant Administrator for Administration.

[FR Doc.77–7143 Filed 3–8–77;8:45 am]

Patent and Trademark Office

RECOMBINANT DNA

Suspension of Accelerated Processing of Patent Applications for Recombinant DNA Research Inventions

On January 10, 1977, the Patent and Trademark Office issued a notice, published in the FEDERAL REGISTER of January 13, 1977, 42 FR 2712–2713, which provided for the accelerated processing of patent applications for inventions relating to Recombinant DNA, including those that contribute to safety of research in the field.

In order that the Federal Interagency Committee for Recombinant DNA Research may consider recommendations concerning research conducted by the private sector in this field, that part of the referenced notice dealing with accelerated processing of patent applications for Recombinant DNA research inventions is suspended until further notice.

That part of the referenced notice dealing with accelerated processing of patent applications relating to safety of research in this field will remain in force.

Dated: March 3, 1977.

RENE D. TEGTMEYER,
Acting Commissioner of Patents and Trademarks.

Approved: March 3, 1977.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology.

[FR Doc.77–6908 Filed 3–8–77;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF SCIENTIFIC ADVISORY BOARD

Meeting

MARCH 3, 1977.

The USAF Scientific Advisory Board ad hoc Committee on Simulation Technology will hold meetings at the Aeronautical Systems Division, Wright-Patterson AFB, Ohio on March 30 and 31, 1977 from 8:30 a.m. to 5:00 p.m. each day.

The Committee will receive classified briefings and hold classified discussions on Air Force simulator programs and technology.

The meetings concern matters listed in section 552(b) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat at (202) 697–8404.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison Officer, Directorate of Administration.

[FR Doc.77–6954 Filed 3–8–77;8:45 am]

Department of the Army

BALLISTIC MISSILE DEFENSE TECHNOLOGY ADVISORY PANEL

Closed Meeting

1. In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), an announcement is made of the following committee meeting:

Name of Committee: Ballistic Missile Defense Technology Advisory Panel.

Dates of Meeting: March 29 through 31, 1977.

Place: BMD Advanced Technology Center, 106 Wynn Drive, Huntsville, Alabama 35807.

Time: 0830–1630 hours on dates indicated above.

Proposed Agenda: (I) Review of Ballistic Missile Defense Advanced Technology Center Programs; (II) Review the Results of Advanced Technology Studies, Programs, and Special Reports.

2. The meeting is closed to the public since the agenda consists of BMDATC's on-going and future programs which are classified as secret or higher defense information pursuant to Executive Order 11652 (dated March 8, 1972), and therefore, are concerned with matters listed in section 552(b)(1) of Title 5, U.S. Code. National security requires that the details of these programs be withheld.

JAMES D. CARLSON,
Director.

[FR Doc.77-6962 Filed 3-8-77;8:45 am]

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE

Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

Name of Committee: Executive Committee of the National Board for the Promotion of Rifle Practice.

Date of Meeting: March 25, 1977.

Place: Secretary of the Army Conference Room, Room 1E687, the Pentagon.

Time: 0900 hours.

Proposed Agenda: (A) Sale of service ammunition and components; (B) Range facilities for civilian clubs; (C) Award of service rifles in national trophy competition; (D) Scheduling of 1977 annual board meeting; (E) Conduct of 1977 President's match.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee.

JACK R. ROLLINGER,
Colonel,
Infantry Executive Officer.

[FR Doc.77-6961 Filed 3-8-77;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 695-8]

MARINE SANITATION DEVICE STANDARD; MISSISSIPPI AND ST. CROIX RIVERS, AND LAKE SUPERIOR WATERS WITHIN MINNESOTA AND WISCONSIN

Petition; Extension of Time for Comments

On January 4, 1977, (42 FR 837) the Agency published a notice acknowledging receipt of a joint petition from the States of Minnesota and Wisconsin for a determination pursuant to Section 312(f)(3) of Public Law 92-500 that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the Minnesota-Wisconsin portions of the Mississippi and St. Croix Rivers and for the Minnesota-Wisconsin portions of Lake Superior. Comments were requested by February 18, 1977.

The Agency has received requests for additional time in which to respond to the joint petition; these requests have stated that additional time is required to check the available facilities for their adequacy and practicability. Such surveys have been complicated by the severe weather conditions in the upper Midwest this winter. Accordingly, because of the Agency's desire to encourage informed and thoughtful public participation in its decision process regarding this petition, and because the Agency believes that a short time extension will not unduly affect the decision process on this petition for the coming moating season, the Agency concurs that the public should be allowed an extended time period in which to formulate meaningful comments. Consequently, the final date above-mentioned joint Minnesota-Wisconsin petition is hereby extended through the close of business March 25, 1977.

Date: March 2, 1977.

ANDREW W. BREIDENBACH,
Assistant Administrator for Water and Hazard Materials.

[FR Doc.77-6905 Filed 3-8-77;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

NATIONAL INDUSTRY ADVISORY COMMITTEE; BROADCAST SERVICES SUBCOMMITTEE

Meeting

Pursuant to the provisions of Pub. L. 92-463, announcement is made of a public meeting of the Broadcast Services Subcommittee of the National Industry Advisory Committee to be held Tuesday, March 29, 1977. The Subcommittee will meet at the Sheraton Park Hotel, Palladium Room, 2500 Calvert Street, NW., Washington, D.C., at 3:00 p.m.

Purpose: To consider modifiation to the Emergency Broadcast System (EBS) Rules.

Agenda, Item.

1. Chairman's Opening Remarks.
2. Inclusion of the National News Radio/Press Wire ("600" Net) into the "500" Net used with the Emergency Broadcast System (EBS).
3. Status of Revision of NIAC Order No. 2.
4. Consideration of modification of the Broadcast Announcement used with the "Weekly Transmission Tests of the Attention Signal and Test Script" to include a statement to the effect: "This station serves the Operational Area."
5. Consideration of modification of the EBS Rules to permit stations broadcasting exclusively in a foreign language to make emergency announcements during activation of the EBS initially in that foreign language and followed in English.
6. New Business.
7. Closing comments and adjournment.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.77-6968 Filed 3-8-77;8:45 am]

FEDERAL TRADE COMMISSION

[File No. 752 3157]

FLAGG INDUSTRIES, INC., ET AL.

Consent Agreement With Analysis to Aid Public Comment

Correction

In FR Doc. 77-5763 appearing in the issue of Friday, February 25, 1977 on page 11043; on page 11045, the middle column, in paragraph (3), the 2nd line from the bottom should be corrected to read, "* * * paragraph (2) of Section III of this * * *".

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

[Doc. No. 301-12]

GEORGE F. FISHER, INC.

Complaint; Correction

FR Doc. 77-6046 appearing at page 11935 in the FEDERAL REGISTER for Tuesday, March 1, 1977, is corrected as follows: Line 4 of the first column on page 11937 should read "Tuesday, March 29, 1977, at the Office".

MORTON POMERANZ,
Chairman, Section 301 Committee, Office of the Special Representative for Trade Negotiations.

[FR Doc.77-6960 Filed 3-8-77;8:45 am]

FEDERAL ENERGY ADMINISTRATION

COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT

Quarterly Update of Environmental Review Documents Available for Public Review

Pursuant to 10 CFR 208.15(b), the Federal Energy Administration (FEA) hereby supplements its listing of environmental review documents, prepared under the authority of the National Environmental Policy Act, 42 U.S.C. 4321 et seq., which are available for public inspection and review. Listed below are environmental review documents made available to the public during the period December 1, 1976, through February 28, 1977. The last update of the review document listing was published in the FEDERAL REGISTER on November 30, 1976, (41 FR 174).

Single copies of the review documents are available upon request from the FEA Office of Communications and Public Affairs, Room 3138, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461. Copies of the review documents are also available for public inspection in the FEA Information Access Reading Room, Room 2107, 12th and Pennsylvania Avenue, NW., Washington, D.C., between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Dated: March 3, 1977.

ERIC FYGI,
Acting General Counsel, Federal Energy Administration.

FEA list of published environmental impact statements and negative determinations, Dec. 1, 1976 to Feb. 28, 1977

Program/project designation	Type of document and number where applicable	Date made available to the public
Strategic petroleum reserve	Final programmatic environmental impact statement (FES-76-2).	Dec. 22, 1976
Strategic petroleum reserve: Proposed storage site, Bayou Choctaw Salt Dome, Iberville Parish, La.	Final environmental impact statement (FES-76-5).	Dec. 23, 1976
Emergency Petroleum Allocation Act: Review of application by the Indiana Gas Co. for petroleum feedstock allocation for synthetic natural gas production, Marion County, Ind.	Draft environmental impact statement (DES-77-1).	Dec. 30, 1976
Strategic petroleum reserve: Proposed storage site, Bryan Mound Salt Dome, Brazoria County, Tex.	Final environmental impact statement (FES-76/77-6).	Jan. 4, 1977
Energy Supply and Environmental Coordination Act: Proposed conversion to coal burning, Maynard Generating Station, Waterloo, Iowa.	Negative determination and environmental assessment.	Jan. 7, 1977
Strategic petroleum reserve: Proposed storage site, Central Rock Limestone Mine, Fayette County, Ky.	Draft environmental impact statement (DES-76-9).	Jan 10, 1977
Strategic petroleum reserve: Proposed storage site, Ironton Limestone Mine, Lawrence County, Ohio.	Draft environmental impact statement (DES-76-10).	Do.
Strategic Petroleum reserve: Proposed storage site, West Hackberry Salt Dome, Cameron Parish, La.	Final environmental impact statement (FES-76/77-4).	Jan. 25, 1977
Strategic petroelum reserve: proposed storage site, Cote Blanche Salt Mine, St. Mary Parish, La.	Final environmental impact statement (FES-76/77-7).	Jan. 26, 1977
Strategic petroelum reserve: Proposed storage site, Weeks Island Salt Mine, Iberia Parish, La.	Final environmental impact statement (FES-76/77-8).	Do.
Strategic petroelum reserve: Proposed storage site, Kleer Salt Mine, Van Zandt County, Texas.	Draft environmental impact statement (DES-77-2).	Jan. 27, 1977
Energy supply and environmental Coordination Act, as amended, sec. 2, coal conversion program.	Draft environmental impact statement (DES-77-3).	Feb. 22, 1977

[FR Doc.77-7024 Filed 3-4-77;4:23 pm]

FEDERAL MARITIME COMMISSION

PRUDENTIAL LINES, INC. AND COMPANIA PERUANA DE VAPORES

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before March 18, 1977. Any person desiring a hearing on the proposd agreeement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

William H. Fort, Esquire, Kominers, Fort, Schlefer & Boyer, 1776 F Street, Northwest, Washington, D.C. 20006.

Agreement No. 10041-4, between the above named parties, amends their basic pooling, sailing and equal access to government-controlled cargo agreement in the trade from the U.S. Atlantic ports of New York, Philadelphia and Baltimore to the Peruvian ports of Callao and Ilo, by extending the term thereof through March 31, 1979. By order of the Federal Maritime Commission.

Dated: March 4, 1977.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc.77-7020 Filed 3-8-77;8:45 am]

FEDERAL POWER COMMISSION

[Doc. No. ID-1807]

CHARLES R. PIERCE

Application

MARCH 3, 1977.

Take notice that on February 14, 1977, Charles R. Pierce filed an application, pursuant to section 305(b) of the Federal Power Act, to hold the following positions:

President and Director, Long Island Lighting Co., Public Utility.
Director, Empire State Power Resources, Inc., Public Utility.

Empire State was formed by seven electric utility companies in New York to construct, own and operate large-scale electric generating facilities within the State of New York. Substantially all of the energy generated will be sold to the sponsoring companies.

The application to hold an interlocking position as Director of Empire State will be deferred at least until such time as a decision on the merits of the Empire State proposal is reached by the New York State Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 4, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6975 Filed 3-8-77;8:45 am]

[Doc. No. E77-46]

EMERGENCY NATURAL GAS ACT OF 1977

Emergency Order

On March 2, 1977, Entex, Inc. (Entex), filed, pursuant to section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application for authorization to purchase up to a total of 600,000 Mcf of natural gas at a rate of up to 15,000 Mcfd on a best efforts basis plus such additional volumes as are mutually agreeable from Houston Pipe Line Company (Houston) during the period ending April 30, 1977. Entex will purchase these volumes to serve its distribution systems in northern Mississippi supplied by Tennessee Gas Pipe Line Company, a Division of Tenneco, Inc. (Tennessee), at city-gate stations located in Coffeeville, Crowder, Drew-Jocquith, Lambert, Ruleville, Shaw, Sumner, and Oxford, Mississippi, and by the City of Senatobia, Mississippi, at Sardis, Mississippi.

Entex will purchase these volumes from Houston at a price of $2.20 per MMBtu at the tailgate of Shell Oil Company's Houston Central Plant, Colorado County, Texas. I find such price to be fair and equitable in accordance with Order No. 2.

Houston will deliver the subject volumes to Tennessee at the outlet of the Houston Central Plant, and Tennessee will deliver to Entex at the above-mentioned city-gate stations in northern Mississippi. Since Entex advises that deliveries will be made through existing facilities, no reason exists to require the construction and operation of facilities as permitted under section 6(c)(1) of Pub. L. 95-2 (91 Stat. 4, 8). Entex will pay Tennessee a transportation charge of 30 cents per Mcf. I find such charge to be fair and equitable.

Entex advises and I find that contractual provisions between Houston and its producers, transporters and other suppliers of gas prohibit the sale of natural gas in interstate commerce and the commingling of its intrastate pipeline system gas supplies with gas moving

in interstate commerce. The transportation and delivery of gas for which Entex seeks approval may result in some commingling of interstate natural gas with Houston's normal intrastate pipeline system gas supplies and with gas owned by other third parties. This order shall be considered as applying to all such commingled gas. Under the provisions of section 9(b), (c) of Pub. L. 95–2 (91 Stat. at 9), the suppliers of such gas, which is so commingled, may not terminate existing contracts with Houston or such other parties, or require a redetermination of the prices provided in such contracts by reason of this transaction. Contractual termination, prohibition or redetermination provisions in any such contracts referred to above are not enforceable by reason of section 9 of Pub. L. 95–2 since Houston is selling, delivering and transporting gas for Entex pursuant to section 6(a) of that Act. Houston and any third person whose gas is commingled with Entex's gas shall refer all relevant information concerning any attempt to terminate existing contracts or require a redetermination of prices to the Administrator for appropriate action.

According to the official files of the Federal Power Commission, Houston is not classified as a natural gas company within the meaning of the Natural Gas Act. Section 6(b)(1) of the Act provides in part that "[t]he provisions of the Natural Gas Act shall not apply * * * to any sale to an interstate pipeline * * * under the authority of subsection (a) or to any transportation by an intrastate pipeline in connection with such sale * * *" 91 Stat. at 8. In addition section 6(c)(2) provides:

> Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carried under any provision of state law.

Thus, the sale, delivery and transportation of this gas will not subject Houston or any person supplying gas to Houston to the provisions of the Natural Gas Act or to regulation as a common carrier under state law.

Order No. 6 provides in part that, subsequent to the date of the order, no local distribution company may contract for gas pursuant to section 6 of the Act if, contemporaneously with the execution of such contract, the local distribution company is serving directly or indirectly any uses classified in Priorities 4 through 9 as defined by the Federal Power Commission in 18 CFR 2.78 (a)(1) (iv)–(ix). Entex's filing does not represent that Entex is not serving any gas directly or indirectly to uses classified in Priorities 4 through 9 on any of its local distribution systems. The filing merely represents that gas to be purchased hereunder is necessary to enable Entex to serve uses of natural gas other than the uses specified in Priorities 4 through 9. Entex may well need the subject volumes to serve only Priorities 1 through 3 on the subject distribution systems while continuing to serve uses in Priorities 4 through 9 on other distribution systems. Therefore, Entex's authority to purchase gas from Houston is conditioned upon Entex's submission of a sworn statement that, based upon information reasonably available to it at the time of execution of the contract, it was not serving any uses classified in Priorities 4 through 9 directly or indirectly on any of its distribution systems, or, if it was serving such uses on any of its distribution systems, that it could not under the provisions of the Act or any other applicable law, have transferred the volumes used to serve uses classified in Priorities 4 through 9 to the subject distribution systems to serve uses classified in Priorities 1 through 3.

I authorize Houston to sell gas to Entex as set forth above, and authorize and order Tennessee to transport and deliver gas to Entex on the above-stated terms and conditions.

Entex shall submit weekly reports as required by Order No. 4.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Entex, Houston and Tennessee. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95–2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

MARCH 3, 1977.

[FR Doc.77-6973 Filed 3-8-77;8:45 am]

[Doc. No. E77-47]

EMERGENCY NATURAL GAS ACT OF 1977

Emergency Order

On March 3, 1977, Columbia Gas Transmission Corporation (Columbia) filed, pursuant to section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95–2 (91 Stat. 4 (1977)), an application for authorization to purchase a quantity of gas not to contain in excess of sixty-one billion (61,000,000,000) British Thermal Units (Btu's) at an estimated price of $2.562 per MMBtu from Houston Lighting and Power Company (Houston) and Exxon Company, U.S.A. (Exxon). For the reasons set forth below, I find the terms and conditions of the subject agreement between Houston and Columbia and Exxon to be fair and equitable and (i) authorize and approve the same and (ii) authorize, approve, and order the transportation and delivery of the subject gas to Columbia.

Under the terms of the agreement Columbia will deliver to Houston up to a maximum of 10,000 barrels per day of No. 6 fuel oil of certain quality specifications at (i) Houston's barge unloading dock located at or near Houston's Sam Bertron generating plant, Harris County, Texas and (ii) such other points as may be agreed upon by Houston and Columbia from time to time. Title to the fuel oil shall pass to Houston at such time as the fuel oil enters Houston's pipeline system serving the delivery points. The delivery of oil at such points shall be at Columbia's sole cost and expense.

Exxon will deliver to Columbia or Columbia's nominee a volume of gas having a Btu content equal to the Btu content of the fuel oil delivered to Houston at Exxon's Conroe Field Gas Plant, Montgomery County, Texas, Exxon's Greta Tom O'Connor Field Gas Plant, Refugio County, Texas, and the Magnet Withers Field, Wharton County, Texas, to United Texas Transmission Company (United Texas) which will transport and deliver the gas to the Katy Gas Processing Plant near Katy, Waller County, Texas. At the tailgate of the Katy Plant, Amoco Gas Company (Amoco Gas) will receive an equivalent volume of gas which shall be transported and delivered to Trunkline Gas Company (Trunkline) at a proposed interconnection in the vicinity of Katy, Texas. Trunkline will transport and deliver such gas to Tennessee Gas Pipeline Company (Tennessee) at an existing interconnection near Kinder, Louisiana. Tennessee will deliver said gas to Columbia Gulf Transmission Company (Columbia Gulf), an affiliate of Columbia, at a proposed interconnection near Centerville, Louisiana, for delivery to Columbia.

Because the total emergency gas receipts from Tennessee in Docket Nos. E77–10, E77–21, E77–30, and Federal Power Commission (FPC) Docket No. CP77–182 as well as receipt from Tennessee as proposed in this proceeding cannot be accomplished at Egan, Louisiana, Columbia proposes to construct a temporary interconnection between the pipelines of Columbia Gulf and Trunkline near Centerville, Louisiana. Tennessee will cause Trunkline to deliver gas from Trunkline's facility to Columbia Gulf.

Columbia requests authorization under the Act to construct the temporary interconnection at Centerville, Louisiana, to be used to receive excess gas from Tennessee purchased and transported under the Act which cannot be received by Columbia Gulf near Egan, Louisiana. The estimated cost of the temporary facilities for the Centerville interconnection is $175,000.

Columbia has agreed to pay the following transportation and related charges: United Texas—15.78 cents per Mcf transported, at 14.65 psia, its regulated cost of service charge under its domestic sales contracts as set by the Railroad Commission of Texas and approved by the Administrator in Docket No. E77–28; Amoco Gas—3 cents per Mcf transported at 14.65 psia; Trunkline—4.47 cents per Mcf transported plus 1 percent of the volumes as a fuel charge; and Tennessee—1 cent per Mcf at 14.73 psia.

Columbia advises and I find that the gas made available from Exxon and the transportation of such gas by United

Texas and Amoco Gas will result in commingling of interstate natural gas with the gas delivered by Exxon and United Texas' and Amoco Gas' normal intrastate system gas supply and with volumes of gas owned by other parties. The contractual provisions between Houston, Exxon, United Texas and Amoco Gas and their producers, transporters and other suppliers of gas prohibit the sale of natural gas in interstate commerce and the commingling their intrastate pipeline system gas supplies with gas moving in interstate commerce. The sale, transportation and delivery of gas for which Columbia seeks approval may result in some commingling of interstate natural gas with Exxon's, United Texas', and Amoco Gas' normal intrastate gas supplies and with gas owned by other third parties. This order shall be considered as applying to all such commingled gas. Under the provisions of Section 9 (b), (c) of Pub. L. 95–2 (91 Stat. at 9), the suppliers of such gas, which is so commingled, may not terminate existing contracts with Exxon, United Texas, Amoco Gas or such other parties or require a redetermination of the prices provided in such contracts by reason of this transaction. Contractual termination, prohibition or redetermination provisions in any such contracts referred to above are not enforceable by reason of section 9 of Pub. L. 95–2 since Exxon, United Texas, Amoco Gas, and Houston are selling, delivering and transporting gas for Columbia pursuant to section 6(a) of that Act. Houston, Exxon, United Texas, Amoco Gas and any third person whose gas is commingled with Columbia's gas shall refer all relevant information concerning any attempt to terminate existing contracts or require a redetermination of prices to the Administrator for appropriate action.

According to the official files of the Federal Power Commission, Houston, United Texas and Amoco Gas are not classified as natural gas companies within the meaning of the Natural Gas Act. Section 6(b)(1)(A) of the Act provides in part that "[t]he provisions of the Natural Gas Act shall not apply * * * to any sale to an interstate pipeline * * * under the authority of subsection (a) or to any transportation by an intrastate pipeline in connection with such sale * * *" 91 Stat. at 8. In addition, § 6(c)(2) provides:

> Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Exxon is a natural gas company within the meaning of the Natural Gas Act. Section 6(b)(1)(B) provides that the provisions of the Natural Gas Act shall not apply "to any natural gas company (within the meaning of the Natural Gas Act) solely by reason of any such sale or transportation." Thus, the sale, delivery and transportation of this gas will not subject Houston, Exxon, United Texas, Amoco Gas or any person supplying gas to Houston, Exxon, United Texas, and Amoco Gas to the provisions of the Natural Gas Act or to regulation as a common carrier under state law.

Columbia will pay Houston a total price of approximately $2.562 per MMBtu for the subject gas volumes. This price is based on a cost of No. 6 fuel oil to Columbia of $13.70 per barrel plus a storage and handling charge of $0.25 per barrel. Assuming 6.0 MMBtu per barrel, the delivered price of $13.95 yields a gas cost of $2.325 per MMBtu. In addition, Houston estimates that the switch to fuel oil will reduce the thermal efficiency of its electrical generating plants approximately three percent (3%). Columbia shall compensate Houston for such loss by utilizing a conversion factor of three percent (3%) so that one hundred (100) Btu's of fuel oil equals ninety-seven (97) Btus of natural gas. Houston also represents that operating its electrical generating units with fuel oil rather than natural gas will result in additional operating and maintenance costs. Columbia has agreed to reimburse Houston for such additional costs and expenses incurred, including damage to equipment, if any, and will reimburse Houston monthly an amount equal to seven percent (7%) of the cost (including without limitation, transportation costs) to Columbia of fuel oil delivered during the preceding month. The generating units in which fuel oil will be burned have not been operated on fuel oil for extended periods, and Houston is, therefore, unable to determine accurately the actual additional costs and expenses which will be incurred as a result of burning oil. Since both the thermal efficiency loss and the increased operating and maintenance costs are estimates, the parties have agreed that reimbursement for such additional expenses will be adjusted upward or downward to reflect Houston's actual thermal efficiency losses and actual increased operating and maintenance costs. Columbia has also agreed to reimburse Houston for any increased or additional tax liability, federal or otherwise, subsequently determined to be applicable with respect to these transactions. The purpose of these adjustments is to assure that Houston will make no profit on the transaction but will be recompensated for any additional expenses to keep its rate payers whole.

Order No. 2 in Paragraph (2) provides in part:

> Where the seller of the gas will be required to use alternate fuel to replace the volumes sold, emergency purchases may be made without prior notification to or authorization by the Administrator, where such price is equal to or less than the cost of alternate fuel plus 7 percent.

Paragraph (4) of that Order provides in part:

> Where the seller of the gas will be required to use alternate fuel to replace the volumes sold, the Administrator will consider the appropriateness of such price, based upon the cost of alternate fuel suitably adjusted for loss of efficiency and increased maintenance costs.

Houston represents that it will experience a 3 percent thermal efficiency loss and a 7 percent increase in operating and maintenance expenses. Houston has also stated that these figures will be adjusted to reflect its actual experienced thermal efficiency losses and increased costs. I find such terms to be fair and equitable in accordance with Order No. 2.

Columbia states that to best of its "knowledge and belief" that its purchase complies with Order No. 6. I find that Columbia has complied with Order No. 6.

Columbia shall submit weekly reports as required by Order No. 4 and shall include in such reports any adjustments in the estimated thermal efficiency losses and increased operating and maintenance expenses incurred by Houston and the basis for such changes.

Pursuant to section 6(a) of the Act, I hereby authorize Houston to sell to Columbia up to 61,000 MMBtu per day of natural gas on the terms and conditions set forth in Columbia's filing in this proceeding and the February 28, 1977 agreement between Houston and Columbia and Exxon. Pursuant to section 6(c)(1) of the Act, I hereby authorize and order (i) United Texas, Amoco Gas, Trunkline, Tennessee and Columbia Gulf to transport gas for Columbia, (ii) Columbia Gulf to construct and recover the costs of such construction, and interconnection with Tennessee near Centerville, Louisiana, and (iii) Columbia to pay the agreed upon transportation charges.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Columbia, Houston, Exxon, United Texas, Amoco Gas, Trunkline, Tennessee and Columbia Gulf. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95–2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

[FR Doc.77-6974 Filed 3-8-77;8:45 am]

[Doc. No. ER77-160]

ILLINOIS POWER CO.

Filing First Revised Exhibit I to Agreements For Purchase of Power

MARCH 3, 1977.

Take notice that Illinois Power Company ("Illinois Power") on January 19, 1977 tendered for filing First Revised Exhibit I to the Agreement for Purchase of Power dated March 25, 1971 between McDonough Power Cooperative ("McDonough") and Illinois Power.

First Revised Exhibit I which supersedes original Exhibit I, provides for additional territory in Warren and Knox County in which McDonough agrees to purchase and receive electric energy from Illinois Power.

Copies of the filing were served upon McDonough and the Illinois Commerce Commission, Springfield, Illinois.

Any person desiring to be heard or to protest said application should file a petition or protest with the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 15, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies for this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6976 Filed 3-8-77;8:45 am]

[Docket No. CP77-253]

PANHANDLE EASTERN PIPE LINE CO.

Application

MARCH 3, 1977.

Take notice that on February 23, 1977, Panhandle Eastern Pipe Line Company (Applicant), 3000 Bissonnet Street, Houston, Texas 77001, and 3444 Broadway, Kansas City, Missouri 64141, filed in Docket No. CP77-253 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and storage of natural gas for existing customers and the construction and operation of a new redelivery point to effectuate such storage service, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into two gas storage agreements with Consolidated Gas Company (Consolidated) dated October 31, 1976 ,and November 1, 1976, respectively, pursuant to which Applicant has offered its existing customers the opportunity to participate in long-term gas storage and transportation arrangements by which Applicant would transport to storage during the period March 1 through October 31 of each year volumes of gas designated by each customer from its volumetric entitlement and would redeliver such gas or a portion thereof, during the period November 1 through March 31.

Applicant states that the designated volumes of gas would be transported and delivered to Consolidated at an existing measurement facility at Melvindale, Michigan, for injection into Consolidated's underground storage fields. Applicant further states that the October 31, 1976, gas storage agreement is for firm service and provides for the annual summer period injection into storage of 6,000,000 Mcf of natural gas, exclusive of compressor fuel, and the November 1, 1976, gas storage agreement is an agreement for off-peak service wherein daily redelivery rates and times would be determined from time to time within Consolidated's ability to redeliver, and provides for the annual summer period injection of up to 5,000,000 Mcf of natural gas, exclusive of compressor fuel.

It is asserted that under the firm contract, Applicant would pay to Consolidated a monthly charge for each month of the term, commencing March, 1977, equal to 1/12th of such volumes multiplied by $.4882 per Mcf for those volumes committed for a fourteen year term, and a charge equal to 1/12th of such volumes multiplied by $.5523 per Mcf for those volumes committed for a seven year term. It is further asserted that the off-peak contract provides that Applicant would pay Consolidated a monthly charge for volumes committed for a fourteen year term equal to 1/12th of such volumes multiplied by $.4097 per Mcf for those volumes committed for a committed for a seven-year term equal to 1/12th of such volumes multiplied by $.4640 per Mcf. It is stated that under both contracts, at any time before March 1, 1984, all or any portion of the volumes initially committed for seven-year terms may be converted to the fourteen-year storage service, at which time the monthly charge for such converted volumes would be computed at the lesser price.

It is stated that Consolidated would redeliver the stored volumes to Applicant during the months of November through March of each year of the term of the contracts at an existing point of interconnection between Southeastern Michigan Gas Company (Southeastern), Consolidated and Applicant, and if the volume to be redelivered on any day is in excess of that which can be accommodated by Southeastern, then the delivery of such excess would be at a new point of interconnection between Consolidated's supplier, Michigan Wisconsin Pipe Line Company (M-W), and Applicant near Defiance, Ohio. Applicant states that under the firm contract, the redelivery rate would not be in excess of a maximum daily quantity equal to (a) 60,000 Mcf per day until 93 percent of the stored volumes has been withdrawn from storage or until March 1, whichever first occurs; and (b) thereafter, 18,000 Mcf per day. Applicant further states that under the off-peak contract, Consolidated would redeliver at daily rates and times within Consolidated's ability to redeliver, but, in any event, would redeliver to Applicant the following percentage of stored volume in the months set forth:

	Percent
November	25
December	30
January	25
February	15
March	5

Applicant asserts that it has entered into storage and transportation service agreements with certain of its existing customers, which service has been offered to the customers on the basis of either fourteen or seven-year terms, each with a further choice of firm or off-peak service. Applicant further asserts that the seven-year term agreements contain provisions whereby the customer may elect to purchase a second seven-year term for all or any portion of its stored volumes at any time before the expiration of the initial term; and if the customer so elects, the monthly charge for the service rendered in the remaining years becomes equal to the lesser, fourteen-year charge.

It is stated that the firm contracts provide that during the summer period, participating customers would direct that a portion of their monthly gas entitlement be transported by Applicant for storage and that during the winter period, specified portions of such stored volumes be redelivered by Applicant to such customers for use in their respective service areas. It is further stated that the daily volume to be redelivered would not be in excess of one percent of the customer's total stored volume, until 93 percent of the total stored volume has been redelivered or until March 1 of each year, whichever first occurs; thereafter, the maximum daily delivery quantity would be no greater than .3 percent of the customer's total stored volume.

Applicant states that the charge for the storage service rendered under the firm contracts would be a monthly charge for each month of the term equal to 1/12th of the stored volume multiplied by $.4882 under the fourteen-year contract and $.5523 under the seven-year contract. Applicant further states that there would be a transportation charge equal to $.025 per Mcf of gas transported on behalf of the customer for injection into storage and $.025 per Mcf of gas withdrawn from storage and transported and delivered by Applicant to the customer.

It is stated that the injection provisions of the off-peak contracts are identical to those of the firm contracts; however, the daily redelivery rates are based on Applicant's ability to redeliver. It is further stated that under the off-peak contracts Applicant would use its best efforts to redeliver gas in amounts equal to the portion of the customers' stored volume elected for redelivery during any month of the winter period, divided by the number of days designated by the customer for redelivery during that month, but would not be required to do so; in no event would Applicant be required to redeliver on any day a volume in excess of the customer's stored volume divided by one hundred, nor is it required to redeliver to the customer on a day when a gas supply deficiency curtailment is in effect a total volume of gas in excess of the customer's contract demand as set forth in the customer's service agreement with Applicant. Applicant states that the charge for the storage service rendered under the off-peak contract would be a monthly charge equal to 1/12th of the stored volume multiplied by $.4097 per Mcf for the fourteen-year

contract and $.4640 per Mcf for the seven-year contract. Applicant further states that as in the firm contract there is a transportation charge of $.025 per Mcf of gas transported for the customer for injection into storage, and $.025 per Mcf of gas withdrawn from storage, transported and delivered to the customer.

It is asserted that in either contract, the customer may carry-over in storage specified volumes that the customer may elect not to have redelivered during the winter period; in which case, the buyer may request redelivery to it in the months of February, March and April in subsequent years of all or a portion of such carry-over volumes in addition to that otherwise deliverable and Applicant would use its best efforts to redeliver such volumes.

It is stated that deliveries of gas for injection into storage would be performed by utilizing existing facilities and existing points of interconnection; however, it is contemplated that a new delivery point would be required to assist in redeliveries from Consolidated during the winter period, such new delivery point being an interconnection between M–W and Applicant near Defiance, Ohio. Applicant states that the estimated cost of the facilities, $768,000, would be financed from funds on hand.

Applicant asserts that those of its customers desiring either firm-contract or off-peak storage service are as follows:

Firm contract customers	Carryover volume (1,000 ft.³)	Total volume (1,000 ft.³)
Citizens Gas Fuel Co.		250,000
Michigan Gas Utilities		800,000
Village of Morton	10,000	80,000
Northern Indiana Public Service Co.		3,000,000
Richmond Gas Corp.		100,000
Brockway Glass Co.		7,534
Citizens Gas and Coke Utility		1,255,666
Indiana Gas Co., Inc.		376,700
National Distillers and Chemical		941,750
Ohio Gas Co.		188,350
OFFPEAK SERVICE		
Brockway Glass Co., Inc.		4,466
Citizens Gas and Coke Utility		3,744,334
Great River Gas Co.		40,000
Indiana Gas Co., Inc.		399,550
Johns-Manville Sales Corp.		300,000
Kokomo Gas and Fuel Co.		1,000,000
Missouri Utilities Co.		200,000
Ohio Gas Co.		311,650

Applicant states that it would commence such storage service as hereinbefore described with initial injection in the 1977 summer period.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 22, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedures herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6977 Filed 3-8-77;8:45 am]

GAS POLICY ADVISORY COUNCIL

Meeting

Agenda for meeting of the Transmission Distribution and Storage—Technical Advisory Task Force—Rate Design, to be held in Conference Room 3401, at the Federal Power Commission, Union Plaza Building, 941 North Capitol Street, N.E., Washington, D.C. 20426, on April 7, 1977 at 9:00 a.m.—Subgroup No. 5.

Presiding: Ms. Janet S. Grimes, FPC Coordinating Representative and Secretary.

1—Call to Order—Ms. Janet S. Grimes.

2—Review Final Chapter of Task Force Report—Mr. Donald Quinn, Subgroup No. 5 Chairman.

11:00 A.M.—ENTIRE TASK FORCE

3—Review and approve Task Force Report—Mr. Richard Walker, Task Force Chairman.

4—Adjournment—Ms. Janet S. Grimes.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-7094 Filed 3-7-77;3:24 pm]

[Dockets Nos. RI76-157, RI76-158, RI76-159, RI76-161]

BRIDWELL OIL CO., ET AL.

Amended Petition for Special Relief

MARCH 3, 1977.

Take notice that on February 15, 1977, Valley Gas Transmission, Inc. (Valley), on its own behalf and on behalf of Bridwell Oil Company, W. M. Laughlin, Manler Oil Company, and William Perlman (collectively referred to as the Producers) filed a proposed settlement agreement applicable to the four Producer dockets listed above which amended Valley's petition for special relief filed September 3, 1976,[1] on its own behalf, on behalf of the four Producers joining herein (including all working interests relating to the gas sold), and on behalf of three other producers whose separate dockets have been disposed of independently of this settlement.

The petitions have been regarded as filings, requesting rates in excess of the National flowing gas rate pursuant to §§ 1.7(b) and 2.56(h) of the Commission's rules of practice and procedure. By this amendment to the petition filed September 3, 1976, Producers seek the following rates as compared to rates initially requested.

	Requested rate in cents per 1,000 ft.³	Settlement rate in cents per 1,000 ft.³
Bridwell Oil Co.	73.30	42.25
W. M. Laughlin	103.50	74.77
Manler Oil Co.	91.10	65.66
William Perlman	183.70	115.57

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before March 11, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition

[1] Valley's initial petition involved seven producers. Glen A. Martin, et al., petition, Docket No. RI76-134 is being processed separately; Jack M. Wolf, Docket No. RI76-137 and Mormac Oil & Gas Company, Docket No. RI76-160 have withdrawn to accept National or area rates. Notice of the initial petition filed September 3, 1976, was issued October 6, 1976, and published in the FEDERAL REGISTER on October 14, 1976, at 41 FR 45048.

to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-7095 Filed 3-8-77;8:45 am]

EMERGENCY NATURAL GAS ACT OF 1977

Emergency Order Pursuant to Section 6 of Pub. L. 95-2

On March 2, 1977, Consolidated Edison Company of New York, Inc. (Con Ed), filed, pursuant to Section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application for authorization to purchase up to 50,000 Mcfd of natural gas from Pacific Gas and Electric Company (PG&E). Con Ed states that it will use such volumes to serve high priority uses and to replenish storage and that, as agent, it will make up to 100 percent of the volumes purchased from PG&E available to other New York State utilities similarly situated on the same terms and conditions that Con Ed purchases from PG&E.

Con Ed will pay PG&E 35 cents per Mcf for storage and transportation charges and 1.8 cents per Mcf per month on the outstanding balance of gas delivered by PG&E beginning April 1, 1977, and on of each month thereafter until Conthe outstanding balance as of the first Ed repays all gas received in kind. In addition, Con Ed will repay to PG&E, at the Arizona-California border, a volume of gas having a total Btu content equal to the total Btu content of the gas delivered to Con Ed at the Arizona-California border. I have previously found such terms to be fair and equitable. Columbia Gas Transmission Corporation, Docket No. E77-21 (February 24, 1977); Southern Natural Gas Company, Docket No. E77-5 (February 20, 1977). I find such charges to be fair and equitable in this proceeding.

This gas will be delivered to Con Ed by El Paso Natural Gas Company (El Paso) reducing deliveries to PG&E at the Arizona-California border and diverting an equivalent volume to Transwestern Pipewestern will deliver to Natural Gas Pipeline Company (Transwestern), Transline Company of America (Natural) which will deliver to Texas Eastern Transmission Corporation (Texas Eastern) which will deliver to United Gas Pipe Line Company (United). United will redeliver the gas to Texas Eastern for delivery to Con Ed. All deliveries will be made through existing facilities. I lack the necessary information to determine whether the transportation charges to be received by El Paso, Transwestern, Natural, Texas Eastern and United are fair and equitable. Con Ed shall, therefore, submit all relevant information regarding the transportation charges to be paid in this proceeding.

According to the official files of, the Federal Power Commission, PG&E is not classified as a natural gas company within the meaning of the Natural Gas Act. Seciton 6(b)(1) of the Act provides in part that "[t]he provisions of the Natural Gas Act shall not apply * * * to any sale to an interstate pipeline * * * under the authority of subsection (a) or to any transportation by an intrastate pipeline in connection with such sale * * *" 91 Stat. 4, 8. In addition, section 6(c)(2) provides:

> Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Thus, the sale, delivery and transportation of this gas will not subject PG&E to the provisions of the Natural Gas Act.

Order No. 6 provides in part that, subsequent to the date of the order, no local distribution company may contract for gas pursuant to section 6 of the Act if, contemporaneously with the execution of such contract, the local distribution company is serving directly or indirectly any uses classified in Priorities 4 through 9 as defined by the Federal Power Commission in 18 CFR 2.78(a)(1)(iv)-(ix). Con Ed's filing does not demonstrate that it will not serve such uses directly or indirectly. Therefore, Con Ed's authority to purchase gas from PG&E is conditioned upon Con Ed's submission of a sworn statement that, based upon information reasonably available to it at the time of execution of the contract, it was not serving any uses classified in Priorities 4 through 9 indirectly as well as directly.[1]

I authorize PG&E to sell gas to Con Ed pursuant to the pricing provisions set forth above, and authorize and order El Paso, Transwestern, Natural, Texas Eastern, and United to transport and deliver gas to Con Ed on the above-stated terms and conditions.

Con Ed shall submit weekly reports as required by Order No. 4.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Con Ed, PG&E, El Paso, Transwestern, Natural, Texas Eastern and United. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95-2 and the rules and regulations which may be issued thereunder.

MARCH 3, 1977.

RICHARD L. DUNHAM,
Administrator.

[FR Doc.77-7097 Filed 3-8-77;8:45 am]

EMERGENCY NATURAL GAS ACT OF 1977

Emergency Order Pursuant to Section 6 of Pub. L. 95-2

On March 2, 1977, Texas Gas Transmission Corporation (Texas Gas) filed, pursuant to section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977), an application for authorization to transport natural gas which has been purchased by United Cities Gas Company (United Cities) for its own account and the accounts of Texas Gas, Memphis Light, Gas and Water Division (Memphis), and the Jackson Utility Division, Jackson, Tennessee (Jackson).

Texas Gas advises that United Cities has arranged to purchase up to 15,000 Mcfd at a price of $2.25 per MMBtu from Louisiana Gas Intrastate, Inc. (Louisiana Gas). This price will be paid by United Cities for gas for itself, Memphis and Jackson; Texas Gas will pay United Cities this same price for gas it purchases. I find the proposed price of $2.25 per MMBtu to be fair and equitable in accordance with Order No. 2.

Approximately 12,000 Mcfd will be delivered to Memphis, and United Cities, Jackson, and Texas Gas will receive approximately 800, 700, and 1500 Mcfd, respectively. Texas Gas will receive this gas from Louisiana Gas at the tailgates of the Claiborne Gasoline Plant, Claiborne Parish, Louisiana, and the Dubach Gasoline Plant, Lincoln Parish, Louisiana. No new facilities are required to render the proposed transportation service. Texas Gas' proposed transportation rates are based upon the cost data supporting the settlement rates in Texas Gas' most recent Federal Power Commission rate case in Docket No. RP76-17 and the retention of a percent of the transported volumes for compressor fuel and company use and loss. I find such rates, to be fair and equitable.

I find that contractual provisions between Louisiana Gas and its producers, transporters and other suppliers of gas may prohibit the sale of natural gas in interstate commerce and the commingling of its intrastate pipeline system gas supplies with gas moving in interstate commerce. The transportation and delivery of gas for which Texas Gas seeks approval may result in some commingling of interstate natural gas with Louisiana Gas' normal intrastate pipeline system gas supplies and with gas owned by other third parties. This order shall be considered as applying to all such commingled gas. Under the provisions of section 9(b), (c) of Pub. L. 95-2 (91 Stat. 4, 9), the suppliers of such gas, which is so commingled, may not terminate existing contracts with Louisiana Gas or such other parties, or require a redetermination of the prices provided in such contracts by reason of this transaction. Contractual termination, prohibition, or redetermination provisions in any such contracts as referred to above are not enforceable by reason of section 9 of Pub. L. 95-2 since Louisiana Gas is selling gas pursuant to section 6(a) of that Act. Louisiana Gas and any third person whose gas is commingled with United Cities' gas shall refer all relevant information concerning any attempt to terminate existing contracts or require a redetermination of prices to the Administrator for appropriate action.

[1] As a part of such statement, Con Ed shall certify that it was not consuming gas in either its electric generating plants or its gas fired turbines for the purpose of generating electric energy or steam to be sold for heating purposes.

According to the official files of the Federal Power Commission, Louisiana Gas is not classified as a natural gas company within the meaning of the Natural Gas Act. Section 6(b)(1) of the Act provides in part that "[t]he provisions of the Natural Gas Act shall not apply * * * to any sale to an interstate pipeline * * * under the authority of subsection (a) or to any transportation by an intrastate pipeline in connection with such sale * * *" 91 Stat. at 8. In addition, section 6(c)(2) provides:

> Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Thus, the sale of this gas will not subject Louisiana Gas or any person supplying gas for Louisiana Gas to the provisions of the Natural Gas Act or to regulation as a common carrier under state law.

Therefore, I authorize Louisiana Gas to sell gas to United Cities pursuant to the pricing provisions set forth above, and authorize and order Texas Gas to transport and deliver gas for United Cities on the above-stated terms and conditions.

Texas Gas and United Cities, on behalf of itself and Jackson and Memphis, have advised that all recipients of these volumes are currently curtailing into Category 2 requirements and expect to continue such curtailment level in the near future. Order No. 6 provides in part that, subsequent to the date of the order, no interstate pipeline or local distribution company may contract for gas pursuant to § 6 of the Act if, contemporaneously with the execution of such contract, it is serving directly or indirectly any uses classified in Priorities 4 through 9 as defined by the Federal Power Commission in 18 CFR 2.78(a)(1) (iv)–(ix). Therefore, United Cities' authority to purchase gas from Louisana Gas is conditioned upon the submission of sworn statements by United Cities, Texas Gas, Jackson and Memphis that, based upon information reasonably available at the time of execution of the contract, they were not serving any uses classified in Priorities 4 through 9 indirectly as well as directly.

United Cities, Texas Gas, Jackson and Memphis shall submit weekly reports as required by Order No. 4.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon United Cities, Texas Gas, Louisiana Gas, Jackson and Memphis. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95–2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

MARCH 3, 1977.

[FR Doc.77–7098 Filed 3–8–77;8:45 am]

GLEN A. MARTIN, ET AL.

Amended Petition for Special Relief

MARCH 3, 1977.

Take notice that on January 31, 1977, Glen A. Martin (Petitioner), National Bank of Commerce Building, San Antonio, Texas 78205, together with Douglas Weatherston and George Weatherston (Petitioners), Alamo National Bank Building, San Antonio, Texas 78205, filed an amendment to the petition for special relief initially filed on June 25, 1976,[1] in the above captioned docket pursuant to § 2.76 of the Commission's General Policy and Interpretations. By the amendment of January 31, 1977, petitioners seek a rate of 66 cents per Mcf for gas sold relating to all working interests from seven leases, six leases in the Sejita Field and one lease in the East Sejita Field, Duval County, Texas. Petitioners were seeking a rate of $1.80 per Mcf.

It appears reasonable and consistent with the public interest in this case to prescribed a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before March 11, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77–7096 Filed 3–8–77;8:45 am]

FEDERAL RESERVE SYSTEM

FIRST BANKERS CORP. OF FLORIDA

Acquisition of Bank

First Bankers Corporation of Florida, Pompano Beach, Florida, has applied for the Board's approval under Section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of The First National Bank of Winter Garden, Winter Garden, Florida. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than April 1, 1977.

Board of Governors of the Federal Reserve System, March 3, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77–6993 Filed 3–8–77;8:45 am]

[1] Notice issued on July 13, 1976, published in the FEDERAL REGISTER on July 19, 1976 at 41 FR 29752.

PAGE BANK HOLDING CO.

Order Approving Formation of Bank Holding Company

Page Bank Holding Company, Page, North Dakota, has applied for the Board's approval under Section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 92.7 percent of the voting shares of Page State Bank, Page, North Dakota ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with Section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank. Bank, with deposits of $4.3 million,[1] is the 22nd largest of 23 banking organizations and controls approximately 0.79 percent of the total commercial bank deposits in the relevant banking market.[2] Upon acquisition of Bank, Applicant would control the 124th largest banking organization in North Dakota, holding 0.15 percent of the total deposits in commercial banks in the State. Inasmuch as the proposed transaction is essentially a reorganization whereby the shareholder who presently controls Bank directly will control Bank indirectly through Applicant, and since Applicant presently has no subsidiaries and engages in no activities, consummation of the proposal would not eliminate existing or potential competition, or increase the concentration of banking resources in the relevant market. Therefore, competitive considerations are consistent with approval of the application.

The financial and managerial resources of Applicant, which are dependent upon those of Bank, are considered to be satisfactory, and their future prospects appear favorable. Although Applicant will incur some debt as a result of this proposal, it appears that income from Bank should provide Applicant with sufficient revenues to meet its debt service requirements without adversely

[1] All banking data are as of December 31, 1975.

[2] The relevant banking market is approximated by Cass County, North Dakota and Clay County, Minnesota.

affecting the financial condition of Bank. While Applicant's principal has certain interests in and relationships with other banking organizations in the State of North Dakota, the financial and managerial resources of such organizations are regarded as consistent with approval. Accordingly, considerations relating to banking factors are consistent with approval of the application. While no major changes are contemplated in Bank's services, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. Accordingly, it is the Board's judgment that consummation of the proposed transaction would be consistent with the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Minneapolis pursuant to delegated authority.

By order of the Board of Governors,* effective March 2, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-6994 Filed 3-8-77;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Assistant Secretary for Education

EDUCATION STATISTICS

Comments on Collection of Information and Data Acquisition Activity

Pursuant to section 406(g)(2)(B), General Education Provisions Act, notice is hereby given as follows:

The U.S. Office of Education has proposed collections of information and data acquisition activities which will request information from educational agencies or institutions.

The purpose of publishing this notice in the FEDERAL REGISTER is to comply with paragraph (g)(2)(B) of the "Control of Paperwork" amendment which provides that each educational agency or institution subject to a request under the collection of information and data acquisition activity and their representative organizations shall have an opportunity, during a 30-day period before the transmittal of the request to the Director of the Office of Management and Budget, to comment to the Administrator of the National Center for Education Statistics on the collection of information and data acquisition activity.

These data acquisition activities are subject to review by the HEW Education Data Acquisition Council and the Office of Management and Budget.

Descriptions of the proposed collections of information and data acquisition activities follow below. Written comments on the proposed activities are invited. Comments should refer to the specific sponsoring agency and form number and must be received on or before April 8, 1977, and should be addressed to Administrator, National Center for Education Statistics, Attn.: Manager, Information Acquisition, Planning, and Utilization, Room 3001, 400 Maryland Avenue S.W., Washington, D.C. 20202.

Further information may be obtained from Elizabeth M. Proctor of the National Center for Education Statistics, 202-245-1022.

Dated: March 4, 1977.

MARIE D. ELDRIDGE,
Administrator, National Center for Education Statistics.

DESCRIPTION OF A PROPOSED COLLECTION OF INFORMATION AND DATA ACQUISITION ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

Instructions for completing the Financial Status Report and the Follow Through Grantee Performance Report.

2. AGENCY/BUREAU/OFFICE

U.S. Office of Education, Bureau of Elementary and Secondary Education.

3. AGENCY FORM NUMBER

OE 376.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

"Recipients shall use the standard Financial Status Report prescribed by Attachment H of OMB Circular A-102 (HEW Form 601T) to report the status of funds for all nonconstruction projects * * * grantees shall submit a performance report with each Financial Status Report * * *"

Sections 100a403 and 100a432 of the General Provisions for Office of Education Programs (38 FR 30676 and 38 FR 30677).

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Required to obtain or maintain benefits.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

Program Management—Financial Status Reports and Follow Through Grantee Performance Reports will be used to determine program accomplishments and to help assure grantee compliance with Follow Through Regulations and with the approved application as well as to bring about accountability of each grantee in terms of the expenditure of funds.

7. DATA ACQUISITION PLAN

a. Method of Collection: Mail.
b. Time of Collection: Fall 1977.
c. Frequency: Annually.

8. RESPONDENTS

a. Type: Follow Through Grantees.
b. Number: 204 Universe.
c. Estimated Average Man-Hours per respondent: 2.5.

9. INFORMATION TO BE COLLECTED

For the performance period, for an activity or function: A grantee will be requested to (1) indicate Federal and required non-Federal outlays; (2) describe program accomplishments in terms of objectives; and (3) explain slippage in accomplishments in terms of these objectives. Local Project applicants with Supplementary Training for paraprofessionals will be requested to report on the following: (1) Number of paraprofessionals funded in the project; (2) number of paraprofessionals funded for Supplementary Training; (3) sex of the paraprofessionals funded for Supplementary Training; (4) ethnic/racial composition of paraprofessionals funded for Supplementary Training; (5) academic status of paraprofessionals funded for Supplementary Training; (6) number of paraprofessionals funded for Supplementary Training receiving special acceleration support for full-time enrollment; (7) number of paraprofessionals funded for Supplementary Training who earned college course credits; and (8) number of paraprofessionals funded for Supplementary Training who graduated from college.

DESCRIPTION OF A PROPOSED COLLECTION OF INFORMATION AND DATA ACQUISITION ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

Basic Educational Opportunity Grant Application Questionnaire.

2. AGENCY/BUREAU/OFFICE

Office of Education/Bureau of Postsecondary Education/Division of Basic and State Student Grants.

3. AGENCY FORM NUMBER

OE-556.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

"Sec. 408(a) Each administrative head of an education agency * * * is * * * authorized * * *

(4) * * * to enter into and perform such contracts, leases, cooperative agreements, or other transaction as may be necessary for the conduct of such agency * * *" (Pub. L. 93-380, 20 U.S.C. 1221e-3).

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Voluntary.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

The form will be used to determine the results of the use of optical mark reading format for the Basic Grant application in a sample of high schools and postsecondary institutions. If the form can be used by students without difficulty, its adoption for the full Basic Grant population would significantly reduce the time and expense related to the processing of Basic Grant applications.

7. DATA ACQUISITION PLAN

a. Method of Collection: Mail.
b. Time of Collection: May 1977.
c. Frequency: One time only.

8. RESPONDENTS

a. Type: Financial Aid Officers.
b. Number: 200.
c. Estimated Average Man-House Per Respondent: ½ hour.

a. Type: High School Guidance Counselors.
b. Number: 200.
c. Estimated Average Man-Hours per Respondent: ⅓ hour.

9. INFORMATION TO BE COLLECTED

Data to be collected will be the same for financial aid officers and counselors. The questionnaire will collect the following information on students experience with the optical mark reading format: (a) The number of applications submitted by students and problems incurred in completing the applications; (b) the degree of difficulty of the form; (c) the quality of the data gathered

*Voting for this action: Governors Wallich, Coldwell, Jackson, and Lilly. Absent and not voting: Chairman Burns and Governors Gardner and Partee.

from the form; (d) the speed of the processing of the form.

DESCRIPTION OF A PROPOSED COLLECTION OF INFORMATION AND DATA ACQUISITION ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

Follow Through Comprehensive Health Services Planning Questionnaire.

2. AGENCY/BUREAU/OFFICE

U.S. Office of Education, Bureau of Elementary and Secondary Education.

3. AGENCY FORM NUMBER

OE Form 4535.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

"Sec. 551. (a) (1) The Secretary is authorized to provide financial assistance in the form of grants to local educational agencies, combinations of such agencies, and, as provided in paragraph (2) of this subsection any other public or appropriate nonprofit private organizations, and institutions for the purpose of carrying out Follow Through programs focused primarily on children from low-income families in kindergarten and primary grades, including such children enrolled in private nonprofit elementary schools, who were previously enrolled in Headstart or similar programs."

(3) Programs to be assisted under this Section shall provide such comprehensive services as the Secretary determines will aid in the continued development of children described in Paragraph (1) to their full potential (Pub. L. 93-644, 42 U.S.C. 2929).

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Required to obtain or maintain benefits.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

Program Management—The Follow Through Comprehensive Health Services Planning Questionnaire will provide information for research and evaluation purposes in the comprehensive services being provided in FT projects. The questionnaire is also designed to provide technical assistance to the project administrators by suggesting resources or activities which could benefit the low-income FT children.

7. DATA ACQUISITION PLAN

a. Method of Collection: Mail
b. Time of Collection: Fall 1977
c. Frequency: Annually

8. RESPONDENTS

a. Type: Follow Through Local Project grantees
b. Number: 144—Universe
c. Estimated Average Man-Hours per Respondent: 1

9. INFORMATION TO BE COLLECTED

The Follow Through Comprehensive Health Services Planning Questionnaire is comprised of four sections:

A. Planning-School Year—For the school year, this section provides information such as the persons responsible for planning the health services program; measures taken to ensure parental consent, and sources or methods used to provide comprehensive health care information to eligible Follow Through children and their families.

B. Provision of Comprehensive Health Services—This section:

1. Addresses how individual children's health histories have been or will be obtained and

2. Encompasses the specific services to be provided.

The information sought for these services is as follows:

1. Medical—The percentage of low-income Follow Through children who have received or will receive immunizations and what these immunizations are; the screening procedures which have been or will be used, according to income percentages; the percentages of Follow Through children who have been or will be receiving general physical examinations; and who will provide or has provided medical supervision and emergency care.

2. Dental—What attempts will or have been made to prevent problems in Follow Through children; the types of services, according to income percentages, which will or have been received; if appropriate, reasons why all low-income Follow Through children have not received services; what actions will be or have been taken if problems occur; and by what means services have been or will be provided.

3. Psychological—Whether there is a psychological consultation service; if so, what personnel and activities are included; who provided services; if there is not a consultation service, how services are provided; the services which have been or will be received by Follow Through children according to income percentages; if appropriate, reasons why low-income Follow Through children have not or will not receive services; who has or will refer children and their families for services; and by what measures confidentiality has been or will be ensured.

4. Nutritional—The percentages of Follow Through children who have been or will be receiving specific services, according to family income; if appropriate, what other sources of funds are used to pay for services; whether a nutrition education program is offered and what it encompasses; and, if appropriate, why a nutrition program has not or will not be offered.

C. Health Education—This section seeks information concerning the health education services which have been or will be included in the overall health program; questions concerning employee health and school safety are asked in order to determine whether health and safety measures in the schools are taken and, if measures to assure employee health and school safety are not taken, the reasons why not.

D. Additional Resources and Future Care—This section seeks information on what sources will contribute or have contributed 10 percent or more of the cost of the comprehensive health services; which organizations will provide or have provided in-kind services; if appropriate, the reasons why the project does not use and does not plan to use additional funds or services; and information about what the project will do or has done to help ensure adequate future care for the Follow Through children and their families.

DESCRIPTION OF A PROPOSED COLLECTION OF INFORMATION AND DATA ACQUISITION ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

Survey of State Education Provisions for the Gifted and Talented.

2. AGENCY/BUREAU/OFFICE

U.S. Office of Education, Office of the Gifted and Talented.

3. AGENCY FORM NUMBER

OE 9064.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

This project is authorized under Pub. L. 93-380, Section 408(a), "Each administrative head of an education agency * * * is * * * authorized—

(4) * * * to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary for the conduct of such agency;"

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Voluntary.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

To serve federal, state and local agencies who are concerned with initiating, maintaining, improving, and measuring progress in the development of the policy base and the delivery of appropriate educational services to gifted and talented children. The collection and organization of current base data will enable measurements to be taken as to the future progress of the field.

7. DATA ACQUISITION PLAN

a. Method of Collection: Mail and telephone.
b. Time of Collection: Spring 1977.
c. Frequency: Single time.

8. RESPONDENTS

a. Type: Education Agencies of the States and Territories.
b. Number: 57 (universe).
c. Estimated Average Man-Hours Per Respondent: 3.

9. INFORMATION TO BE COLLECTED

The study will seek to collect information in the following categories: (a) Policy base—laws, administrative policy, state plans; (b) resources—personnel, appropriations, documents; (c) children—gifted and talented school population; (d) programs—types of services, delivery of services in rural areas; and (e) teacher or administrator preparation—preservice and inservice training.

[FR Doc.77-6984 Filed 3-8-77;8:45 am]

Alcohol, Drug Abuse, and Mental Health Administration

COMMITTEE ON MENTAL HEALTH AND ILLNESS OF ELDERLY

Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following national advisory body scheduled to assemble during the month of April 1977:

Committee on Mental Health and Illness of the Elderly: April 15-16; 9:00 a.m.; Room 723A-727A, South Portal Building, Department of Health, Education & Welfare, 200 Independence Avenue, S.W., Wash., D.C.

Open Meeting: Contact Dr. Carole B. Allan, Room 18-95, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, 301-443-3726.

Purpose: The Committee on Mental Health and Illness of the Elderly will study and make recommendations to the Secretary, HEW, respecting: (1) the future needs for mental health facilities, manpower, research, and training to meet the mental health care needs of elderly persons; (2) the appropriate care of elderly persons who are in mental institutions or who have been discharged from such institutions; and (3) proposals for implementing the recommendations of the 1971 White House Conference on Aging respecting the mental health of the elderly. A report on the findings and

recommendations of this Committee shall be submitted by the Secretary, HEW, to the Senate Committee on Labor and Public Welfare and to the House Committee on Interstate and Foreign Commerce no later than July 29, 1977; the Committee shall terminate 30 days after submission of the report.

Agenda: The April 15–16 meeting of the Committee (the fourth of five 2-day meetings planned to accomplish its purpose) will be open to the public. The entire 2-day meeting will be devoted to Committee discussion of its final report. Attendance by the public will be limited to space available. Substantive information may be obtained from the contact person listed above.

The National Institute of Mental Health Information Officer who will furnish summaries of the meeting and rosters of the Committee members is Mr. Edwin Long, Deputy Director, Division of Scientific and Public Information, NIMH, Room 15–105, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, 301–443–3600.

Dated: March 3, 1977.

CAROLYN T. EVANS,
Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc.77-6927 Filed 3-8-77;8:45 am]

Health Services Administration

NATIONAL ADVISORY COMMITTEE ON MIGRANT HEALTH

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following National Advisory body scheduled to meet during the month of May 1977:

Name: National Advisory Council on Migrant Health.

Date and Time: May 16–18, 1977, 9 a.m.

Place: Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Type of meeting: Open for entire meeting.

Purpose: The Committee is charged with advising, consulting with, and making recommendations to the Secretary and the Administrator, Health Services Administration, concerning the organization, operation, selection, and funding of Migrant Health Centers and other entities under grants and contracts under section 319 of the Public Health Service Act.

Agenda: The Council will consider (1) recommendations on National Health Planning and Resources Development Act of 1974, and recognition of special needs of migrants in Health Systems Agencies Regulations and Guidelines; (2) recommendations on Health Professions Educational Assistance Act of 1976 Application to Migrant Health Centers and Projects; (3) legislative proposals for FY 1979 extension of the Migrant Health Title IV of the Public Health Service Act.

Anyone wishing to obtain a roster of members, minutes of meeting, or other relevant information should contact Billy M. Sandlin, Bureau of Community Health Services, Room 7A–55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443–1153.

Agenda items are subject to change as priorities dictate.

Dated: March 3, 1977.

WILLIAM H. ASPDEN, JR.,
Associate Administrator for Management.

[FR Doc.77-6971 Filed 3-8-77;8:45 am]

Office of Education

COMMUNITY EDUCATION PROGRAM

Closing Date for Receipt of Amendments Fiscal Year 1977

On November 26, 1976, a notice of closing date for the receipt of grant applications under the Community Education Program (section 405 of the Education Amendments of 1974, Pub. L. 93–380 (20 U.S.C. 1864); 45 CFR Part 160c) was published in the FEDERAL REGISTER (41 FR 32107). The notice established a closing date of February 7, 1977. It also: (1) required that each local educational agency (LEA) applicant provide a copy of its application to the State educational agency (SEA) of the State within which the applicant was located concurrently with its submission of the application to the U.S. Office of Education; (2) required the LEA to verify submission to the SEA by enclosing in its application to the U.S. Office of Education a copy of the dated cover letter used to forward a copy of its application to the SEA; and (3) provided that advice and comments received from SEA's no later than March 8, 1977, would be considered in reviewing applications.

A number of LEA applications for grants under the Community Education Program which were received by the February 7 closing date failed to include any verification that a copy of the application had been submitted to the SEA.

The purpose of this notice is to provide each LEA applicant under the Community Education Program which did not meet this requirement with an opportunity to do so through an amendment to its application.

A copy of the dated cover letter used to forward a copy of the LEA's application to the SEA (or comparable verification of such submission to the SEA) must be received by the U.S. Office of Education, Application Control Center on or before March 18, 1977. This copy of the cover letter or other verification is referred to hereinafter as the "amendment" to the application.

If the LEA has not already submitted a copy of its application to the appropriate SEA, it shall do so no later than the day on which it submits its application amendment to the U.S. Office of Education.

A. *Amendments sent by mail.* An amendment sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue SW., Washington, D.C. 20202, Attention: 13.563. An amendment sent by mail will be considered to be received on time by the Application Control Center if:

(1) The amendment was sent by registered or certified mail not later than March 14, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The amendment is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered amendments.* An amendment to be hand delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered amendments will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Amendments will not be accepted after 4:00 p.m. on the closing date, March 18, 1977.

C. *Cut-off for SEA comment.* The cut-off date for receipt of advice and comments from SEA's applications is hereby extended to March 31, 1977. Advice and comments received from SEA's no later than March 31, 1977 will be considered by the Office of Education in reviewing applications.

D. *Forms for amendment.* There are no forms for the amendment. To facilitate review, the applicant is asked to identify in a cover letter the application control number for its FY 1977 application.

E. *Other amendments.* No other amendments to applications are being accepted.

(Catalog of Federal Domestic Assistance Number 13.563; Community Education Program.)

(20 U.S.C. 1864; 45 CFR Part 160c.)

WILLIAM F. PIERCE,
Acting U.S. Commissioner of Education.

[FR Doc.77-7144 Filed 3-8-77;8:45 am]

Health Resources Administration

TASK FORCE ON COST-SHARING OF THE COOPERATIVE HEALTH STATISTICS ADVISORY COMMITTEE

Meeting; Cancellation

In FR Doc. 77-4003 appearing at page 8222 in the issue for Wednesday, February 9, 1977, the March 10–11, 1977, meeting of the "Task Force on Cost-Sharing of the Cooperative Health Statistics Advisory Committee" has been

cancelled. The meeting will be rescheduled at a later date, and announcement made in the FEDERAL REGISTER accordingly.

Dated: March 7, 1977.

JAMES A. WALSH,
Associate Administrator for Operations and Management.

[FR Doc.77-7180 Filed 3-8-77;11:07 am]

DEPARTMENT OF THE INTERIOR

Office of Hearings and Appeals

[Doc. No. M 77-112]

OHIO-ATLAS CONSTRUCTION CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Ohio-Atlas Construction Co., P.O. Box 2482, Wenton, West Virginia, has filed a petition to modify the application of 30 CFR 77.1907(d), hoist construction: general, to its Lick Run Mine, located in Raleigh County, West Virginia.

The substance of Petitioner's statement is as follows:

1. Ohio-Atlas Construction Company has entered into a contract with Becklers Basin Company, Inc., whereby Ohio-Atlas Construction Company is to construct a slope and two shafts at the Lick Run Mine. Due to the nature of the construction work, hoisting facilities must be used to raise and lower men and materials in the shafts and slope being constructed.

2. Petitioner requests that 30 CFR 77.1907(d) be modified so that Ohio-Atlas Construction Company may use hoists and mobile cranes where the hoist rope is not fastened by means of clamps, but rather is secured to the drum by means of a rope wedge.

3. Throughout the construction industry, the method of using a rope wedge to secure a hoisting rope at the drum end has been widely used on crawler cranes, truck cranes, and other hoisting equipment. Ohio-Atlas Construction Company has been using rope wedges since 1967 on most of its hoisting equipment used in constructing shafts and slopes, and Ohio-Atlas Construction Company has never had a rope slip or loosen where it has been secured at the drum end by a rope wedge.

4. The use of a rope wedge as a safe means of securing a hoisting rope to a drum is recognized as a proper method. ANSI Safety Standard B-30.5 recognizes a wedge and socket arrangement as an approved method for securing the rope to the drum on crawler, locomotive, and truck cranes. Similarly, ANSI Safety Standard B-30.7 permits the use of a wedge and socket arrangement for base-mounted drum hoists. (See letter from American Hoist & Derrick Company).[1]

5. A rope wedge is preferable to a cable clamp arrangement because the rope wedge permits a variation of rope sizes in the rope pocket. Furthermore, it diminishes the possibility of having a rope pull through a clamp under heavy line pull. This is something that could happen where cable clamps are used and the cable clamps are too large for the hoisting rope. (See letter from American Host & Derrick Company).[1]

6. The hoist used by Ohio-Atlas Construction Company are not permanent mine hoists, but instead are temporary construction hoists and mobile cranes designed to be used with rope wedges, and these hoists are not designed to be used with cable clamps.

7. 30 CFR 77.1907(d) requires that a hoisting rope contain at least three full turns on the hoist drum when the rope is extended to its maximum working length. Ohio-Atlas Construction Company normally has at least five full turns of rope on the hoist drum and in many cases, one full layer. As the number of full turns of rope increases on the drum, the tension on the rope wedge end of the rope decreases.

8. Granting of this petition will in no way provide less than the same measure of protection afforded employees under the existing standard.

9. The Safety Committee of the United Mine Workers of America at the project site, and the safety representative for UMWA District 29, have been notified of this petition.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by April 8, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FRISHBERG,
Acting Director, Office of Hearings and Appeals.

MARCH 1, 1977.

[FR Doc.77-7008 Filed 3-8-77;8:45 am]

[Doc. No. M 77-110]

OHIO-ATLAS CONSTRUCTION CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Ohio-Atlas Construction Co., P.O. Box 2482, Wenton, West Virginia, has filed a petition to modify the application of 30 CFR 77.1907(d), hoist construction: general, to its Skelton Mine Shaft, located in Raleigh County, West Virginia.

The substance of Petitioner's statement is as follows:

1. Ohio-Atlas Construction Company has entered into a contract with The New River Company, whereby Ohio-Atlas Construction Company is to construct a shaft at The Skelton Mine. Due to the nature of the construction work, hoisting facilities must be used to raise and lower men and materials in the shaft being constructed.

2. Petitioner requests that 30 CFR 77.1907(d) be modified so that Ohio-Atlas Construction Company may use hoists and mobile cranes where the hoist rope is not fastened by means of clamps, but rather is secured to the drum by means of a rope wedge.

3. Throughout the construction industry, the method of using a rope wedge to secure a hoisting rope at the drum end has been widely used on crawler cranes, truck cranes, and other hoisting equipment. Ohio-Atlas Construction Company has been using rope wedges since 1967 on most of its hoisting equipment used in constructing shafts, and Ohio-Atlas Construction Company has never had a rope slip or loosen where it has been secured at the drum end by a rope wedge.

4. The use of a rope wedge as a safe means of securing a hoisting rope to a drum is recognized as a proper method. ANSI Safety Standard B-30.5 recognizes a wedge and socket arrangement as an approved method for securing the rope to the drum on crawler, locomotive, and truck cranes. Similarly, ANSI Safety Standard B-30.7 permits the use of a wedge and socket arrangement for base-mounted drum hoists. (See letter from American Hoist & Derrick Company).[1]

5. A rope wedge is preferable to a cable clamp arrangement because the rope wedge permits a variation of rope sizes in the rope pocket. Furthermore, it diminishes the possibility of having a rope pull through a clamp under heavy line pull. This is something that could happen where cable clamps are used and the cable clamps are too large for the hoisting rope. (See letter from American Hoist & Derrick Company.)[1]

6. The hoist used by Ohio-Atlas Construction Company is not permanent mine hoists, but instead are temporary construction hoists and mobile cranes designed to be used with rope wedges, and these hoists are not designed to be used with cable clamps.

7. 30 CFR 77.1907(d) requires that a hoisting rope contain at least three full turns on the hoist drum when the rope is extended to its maximum working length. Ohio-Atlas Construction Company normally has at least five full runs of rope on the hoist drum and in many cases, one full layer. As the number of full turns of rope increases on the drum, the tension on the rope wedge end of the rope decreases.

8. Granting of this petition will in no way provide less than the same measure of protection afforded employees under the existing standard.

9. The Safety Committee of the United Mine Workers of America at the project site, and the safety representative for UMWA District 29, have been notified of this petition.

[1] The enclosed letter is available for inspection at the address listed in the last paragraph of the notice.

[1] The enclosed letter is available for inspection at the address listed in the last paragraph of the notice.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by April 8, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FISHBERG,
Acting Director, Office of Hearings and Appeals.

[FR Doc.77-7009 Filed 3-8-77;8:45 am]

[Doc. No. M 77-113]

PEABODY COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Peabody Coal Co., Box 235, St. Louis, Missouri 63166, has filed a petition to modify the application of 30 CFR 75.1710, cabs or canopies; electrical face equipment, to its Alston No. 3 Mine, located in Ohio County, Kentucky.

The substance of Petitioner's statement is as follows:

1. The minimum top at Petitioner's Alston No. 3 Mine is 46 inches where Petitioner is now operating and said top varies from a maximum of 52 inches to a minimum of 38 inches.

2. Certain safety hazards are created by the installation of cabs or canopies on the following self-propelled electric face equipment at Alston No. 3 Mine:

(a) Loaders; (b) Cutters; (c) Coal Drills; (d) Pinners; (e) Shuttle Cars; (f) Scoops; and (g) Tractors.

3. Among the safety hazards created by the installation of cabs or canopies on the equipment listed in paragraph 2 herein are the following:

(a) The equipment operator's field of vision is significantly reduced as a result of the close proximity of the cab or canopy top to the operator's cinoartnebt;

(b) The operator's arm and leg movements are significantly restricted as a result of reduced space in the operator's compartment;

(c) Increased operator fatigue is caused by the reduced operator compartment space;

(d) The significant increase in the height of the equipment creates the danger of destruction of line curtains and other similar ventilation devices which would cause substantially diminished air velocity.

(e) The operator's means of getting on and off the equipment is limited, thereby impairing his ability to escape from the equipment in an emergency.

4. Operators of the equipment listed in paragraph 2 herein refuse to operate such equipment when equipped with cabs or canopies because the operators fear for their safety and the safety of other miners.

5. Incorporated herein by reference are affidavits from the President of Local 1894 of UMWA and the Chairman of the Local Safety Committee of the UMWA describing the safety hazards resulting from the installation of cabs and canopies on the equipment listed in paragraph 2 here.[1]

6. For the reasons herein set forth, the application of 30 CFR 75.1710-1 to the face equipment listed in paragraph 2 herein at all locations of Petitioner's Alston No. 3 Mine results in a diminution of safety to the miners at said mine.

7. As an alternative method in lieu of the application of 30 CFR 75.1710-1 to the face equipment listed in paragraph 2 above at Alston No. 3 Mine, Petitioner proposes the following:

(a) Petitioner will comply with all terms and provisions of its roof control plan for Alston No. 3 Mine which was adopted and filed in accordance with 30 CFR 75.200;

(b) Petitioner has adopted and will continue a regular program of safety instruction for its employees designed to educate and train its employees in safety techniques and to eliminate employee exposure to problems inherent in mining with specific emphasis on problems relating to top and roof falls;

(c) Petitioner's management employees and its miners will make frequent tests of the top to determine its stability;

(d) Petitioner will continue to make job safety analysis studies to assure that roof control practices comply not only with company policy but federal and state requirements as well;

(e) Petitioner has endeavored to design and construct cabs and canopies which would be suitable for installation on the equipment listed in paragraph 2 above and which would not diminish the safety of miners. Petitioner has required its suppliers to attempt to design and make available such cabs and canopies. In cooperation with the MESA Technical Support Group, Petitioner will continue these efforts in the design and construction of such suitable cabs and canopies which will not diminish the safety of miners.

(f) Petitioner will intensify its training and retraining programs involving the roof control plan and roof examination.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by April 8, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FISHBERG,
Acting Director,
Office of Hearings and Appeals.

MARCH 1, 1977.

[FR Doc. 77-7010 Filed 3-8-77;8:45 am]

[1] The enclosed affidavits are available for inspection at the address listed in the last paragraph of this notice.

[Docket No. M 77-114]

PEABODY COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Peabody Coal Co., Box 235, St. Louis, Missouri 63166, has filed a petition to modify the application of 30 CFR 75.1710, cabs or canopies; electrical face equipment, to its Alston No. 4 Mine, located in Ohio County, Kentucky.

The substance of Petitioner's statement is as follows:

1. The minimum top at Petitioner's Alston No. 4 Mine is 46 inches where Petitioner is now operating and said top varies from a maximum of 52 inches to a minimum of 38 inches.

2. Certain safety hazards are created by the installation of cabs or canopies on the following self-propelled electric face equipment at Alston No. 4 Mine:

(a) Loaders; (b) Cutters; (c) Coal Drills; (d) Pinners; (e) Shuttle Cars; (f) Scoops; and (g) Tractors.

3. Among the safety hazards created by the installation of cabs or canopies on the equipment listed in paragraph 2 herein are the following:

(a) The equipment operator's field of vision is significantly reduced as a result of the close proximity of the cab or canopy top to the operator's compartment;

(b) The operator's arm and leg movementments are significantly restricted as a result of reduced space in the operator's compartment;

(c) Increased operator fatigue is caused by the reduced operator compartment space;

(d) The significant increase in the height of the equipment creates the danger of destruction of line curtains and other similar ventilation devices which would cause substantially diminished air velocity.

(e) The operator's means of getting on and off the equipment is limited, thereby impairing his ability to escape from the equipment in an emergency.

4. Operators of the equipment listed in paragraph 2 herein refuse to operate such equipment when equipped with cabs or canopies because the operators fear for their safety and the safety of other miners.

5. Incorporated herein by reference are affidavits from the President of Local 1893 of the UMWA and the Chairman of the Local Safety Committee of the UMWA describing the safety hazards resulting from the installation of cabs and canopies on the equipment listed in paragraph 2 here.[1]

6. For the reasons herein set forth, the application of 30 CFR 75.1710-1 to the face equipment listed in paragraph 2 herein at all locations of Petitioner's Alston No. 4 Mine results in a diminution of safety to the miners at said mine.

[1] The enclosed affidavits are available for inspection at the address listed in the last paragraph of this notice.

7. As an alternatives method in lieu of the application of 30 CFR 75.1710–1 to the face equipment listed in paragraph 2 above at Alston No. 4 Mine, Petitioner proposes the following:

(a) Petitioner will comply with all terms and provisions of its roof control plan for Alston No. 4 Mine which was adopted and filed in accordance with 30 CFR 75.200;

(b) Petitioner has adopted and will continue a regular program of safety instruction for its employees designed to educate and train its employees in safety techniques and to eliminate employee exposure to problems inherent in mining with specific emphasis on problems relating to top and roof falls;

(c) Petitioner's management employees and its miners will make frequent tests of the top to determine its stability;

(d) Petitioner will continue to make job safety analysis studies to assure that roof control practices comply not only with company policy but federal and state requirements as well;

(e) Petitioner has endeavored to design and construct cabs and canopies which would be suitable for installation on the equipment listed in paragraph 2 above and which would not diminish the safety of miners. Petitioner has required its suppliers to attempt to design and make available such cabs and canopies. In cooperation with the MESA Technical Support Group, Petitioner will continue these efforts in the design and construction of such suitable cabs and canopies which will not diminish the safety of miners.

(f) Petitioner will intensify its training and retraining programs involving the roof control plan and roof examination.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FISHBERG,
Acting Director,
Office of Hearings and Appeals.

MARCH 1, 1977.

[FR Doc.77-7011 Filed 3-8-77;8:45 am]

[Doc. No. M 77-115]

PEABODY COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), Peabody Coal Company, Box 235, St. Louis, Missouri, 63166, has filed a petition to modify the application of 30 CFR 75.1710 cabs or canopies, electrical face equipment, to its Simco No. 4 Mine, located in Coshocton County, Ohio.

The substance of Petitioner's statement is as follows:

1. The minimum top at Petitioner's Simco No. 4 Mine is 39 inches where Petitioner is now operating and said top varies from a maximum of 48 inches to a minimum of 31 inches.

2. Certain safety hazards are created by the installation of cabs or canopies on the following self-propelled electric face equipment at Simco No. 4 Mine:

(a) Loaders; (b) Cutters; (c) Coal Drills; (d) Pinners; (e) Shuttle Cars; (f) Scoops; (g) Tractors.

3. Among the safety hazards created by the installation of cabs or canopies on the equipment listed in paragraph 2 herein are the following:

(a) The equipment operator's field of vision is significantly reduced as a result of the close proximity of the cabs or canopy top to the operator's compartment;

(b) The operator's arm and leg movements are significantly restricted as a result of reduced space in the operator's compartment;

(c) Increased operator fatigue is caused by the reduced operator compartment space;

(d) The significant increase in the height of the equipment creates the danger of destruction of line curtains and other similar ventilation devices which would cause substantially diminished air velocity.

(e) The Operator's means of getting on and off the equipment is limited, thereby impairing his ability to escape from the equipment in an emergency.

4. Operators of the equipment listed in paragraph 2 herein refuse to operate such equipment when equipped with cabs or canopies because the operators fear for their safety and the safety of other miners.

5. Incorporated herein by reference are affidavits from the President of Local 1323 of the UMWA and the Chairman of the Local Safety Committee of the UMWA describing the safety hazards resulting from the installation of cabs and canopies on the equipment listed in paragraph 2 herein.[1]

6. For the reasons herein set forth, the application of 30 CFR 75.1710–1 to the face equipment listed in paragraph 2 herein at all locations of Petitioner's Simco No. 4 Mine results in a diminution of safety to the miners at said mine.

7. As an alternative method in lieu of the application of 30 CFR 75.1710–1 to the face equipment listed in paragraph 2 above at Simco No. 4 Mine, Petitioner proposes the following:

(a) Petitioner will comply with all terms and provisions of its roof control plan for Simco No. 4 Mine which was adopted and filed in accordance with 30 CFR 75.200;

[1] The enclosed affidavits are available for inspection at the address listed in the last paragraph of this notice.

(b) Petitioner has adopted and will continue a regular program of safety instruction for its employees designed to educate and train its employees in safety techniques and to eliminate employee exposure to problems inherent in mining with specific emphasis on problems relating to top and roof falls;

(c) Petitioner's management employees and its miner will make frequent tests of the top to determine its stability;

(d) Petitioner will continue to make job safety analysis studies to assure that roof control practices comply not only with company policy but federal and state requirements as well;

(e) Petitioner has endeavored to design and construct cabs and canopies which would be suitable for installation on the equipment listed in paragraph 2 above and which would not diminish the safety of miners. Petitioner has required its suppliers to attempt to design and make available such cabs and canopies. In cooperation with the MESA Technical Support Group, Petitioner will continue these efforts in the design and construction of such suitable cabs and canopies which will not diminish the safety of miners.

(f) Petitioner will intensify its training and retraining programs involving the roof control plan and roof examination.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by April 8, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FISHBERG,
Acting Director, Office of
Hearings and Appeals.

MARCH 1, 1977.

[FR Doc.77-7012 Filed 3-8-77;8:45 am]

[Doc. No. M 77-116]

PEABODY COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970)), Peabody Coal Co., Box 235, St. Louis, Missouri 63166, has filed a petition to modify the application of 30 CFR 75.1710, cabs or canopies; electrical face equipment, to its Simco No. 5 Mine, located in Coshocton County, Ohio.

The substance of Petitioner's statement is as follows:

1. The minimum top at Petitioner's Simco No. 5 Mine is 37 inches where Petitioner is now operating and said top varies from a maximum of 48 inches to a minimum of 31 inches.

2. Certain safety hazards are created by the installation of cabs or canopies on

the following self-propelled electric face equipment at Simco No. 5 Mine:

(a) Loaders; (b) Cutters; (c) Coal Drills; (d) Pinners; (e) Shuttle Cars; (f) Scoops; (g) Tractors.

3. Among the safety hazards created by the installation of cabs or canopies on the equipment listed in paragraph 2 herein are the following:

(a) The equipment operator's field of vision is significantly reduced as a result of the close proximity of the cab or canopy top to the operator's compartment;

(b) The operator's arm and leg movements are significantly restricted as a result of reduced space in the operator's compartment;

(c) Increased operator fatigue is caused by the reduced operator compartment space;

(d) The significant increase in the height of the equipment creates the danger of destruction of line curtains and other similar ventilation devices which would cause substantially diminished air velocity.

(e) The operator's means of getting on and off the equipment is limited, thereby impairing his ability to escape from the equipment in an emergency.

4. Operators of the equipment listed in paragraph 2 herein refuse to operate such equipment when equipped with cabs or canopies because the operators fear for their safety and the safety of other miners.

5. Incorporated herein by reference are affidavits from the President of Local 1323 of the UMWA and the Chairman of the Local Safety Committee of the UMWA describing the safety hazards resulting from the installation of cabs and canopies on the equipment listed in paragraph 2 here.[1]

6. For the reasons herein set forth, the application of 30 CFR 75.1710–1 to the face equipment listed in paragraph 2 herein at all locations of Petitioner's Simco No. 5 Mine results in a diminution of safety to the miners at said mine.

7. As an alternative method in lieu of the application of 30 CFR 75.1710–1 to the face equipment listed in paragraph 2 above at Alston No. 4 Mine, Petitioner proposes the following:

(a) Petitioner will comply with all terms and provisions of its roof control plan for Simco No. 5 Mine which was adopted and filed in accordance with 30 CFR 75.200;

(b) Petitioner has adopted and will continue a regular program of safety instruction for its employees designed to educate and train its employees in safety techniques and to eliminate employee exposure to problems inherent in mining with specific emphasis on problems relating to top and roof falls;

(c) Petitioner's management employees and its miners will make frequent tests of the top to determine its stability;

(d) Petitioner will continue to make job safety analysis studies to assure that roof control practices comply not only with company policy but federal and state requirements as well;

(e) Petitioner has endeavored to design and construct cabs and canopies which would be suitable for installation on the equipment listed in paragraph 2 above and which would not diminish the safety of miners. Petitioner has required its suppliers to attempt to design and make available such cabs and canopies. In cooperation with the MESA Technical Support Group, Petitioner will continue these efforts in the design and construction of such suitable cabs and canopies which will not diminish the safety of miners.

(f) Petitioner will intensify its training and retraining programs involving the roof control plan and roof examination.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by April 8, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FISHBERG,
Acting Director, Office of Hearings and Appeals.

MARCH 1, 1977.

[FR Doc.77-7013 Filed 3-8-77;8:45 am]

[Doc. No. M77-117]

PEABODY COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), Peabody Coal Company, Box 235, St. Louis, Missouri 63166, has filed a petition to modify the application of 30 CFR 75.1710, cabs or canopies, electrical face equipment, to its Simco No. 7 Mine, located in Coshocton County, Ohio.

The substance of Petitioner's statement is as follows:

1. The minimum top at Petitioner's Simco No. 7 Mine is 42 inches where Petitioner is now operating and said top varies from a maximum of 48 inches to a minimum of 31 inches.

2. Certain safety hazards are created by the installation of cabs or canopies on the following self-propelled electric face equipment at Simco No. 7 Mine:

(a) Loaders.
(b) Cutters.
(c) Coal Drills.
(d) Pinners.
(e) Shuttle Cars.
(f) Scoops.
(g) Tractors.

3. Among the safety hazards created by the installation of cabs or canopies on the equipment listed in paragraph 2 herein are the following:

(a) The equipment operator's field of vision is significantly reduced as a result of the close proximity of the cab or canopy top to the operator's compartment;

(b) The operator's arm and leg movement are significantly restricted as a result of reduced space in the operator's compartment;

(c) Increased operator fatigue is caused by the reduced operator compartment space;

(d) The significant increases in the height of the equipment creates the danger of destruction of line curtains and other similar ventilation devices which would cause substantially diminished air velocity;

(e) The operator's means of getting on and off the equipment is limited, thereby impairing his ability to escape from the equipment in an emergency.

4. Operators of the equipment listed in paragraph 2 herein refuse to operate such equipment when equipped with cabs or canopies because the operators fear for their safety and the safety of other miners.

5. Incorporated herein by reference are affidavits from the President of Local 1323 of the UMWA and the Chairman of the Local Safety Committee of the UMWA describing the safety hazards resulting from the installation of cabs and canopies on the equipment listed in paragraph 2 herein.[1]

6. For the reasons herein set forth, the application of 30 CFR 75.1710–1 to the face equipment listed in paragraph 2 herein at all locations of Petitioner's Simco No. 7 Mine results in a diminution of safety to the miners at said mine.

7. As an alternative method in lieu of the application of 30 CFR 75.1710–1 to the face equipment listed in paragraph 2 above at Simco No. 7 Mine, Petitioner proposes the following:

(a) Petitioner will comply with all terms and provisions of its roof control plan for Simco No. 7 Mine which was adopted and filed in accordance with 30 CFR 75.200;

(b) Petitioner has adopted and will continue a regular program of safety instruction for its employees designed to educate employee exposure to problems inherent in mining with specific emphasis on problems relating to top and roof falls;

(c) Petitioner's management employees and its miners will make frequent tests of the top to determine its stability;

(d) Petitioner will continue to make job safety analysis studies to assure that roof control practices comply not only with company policy but federal and state requirements as well;

(e) Petitioner has endeavored to design and construct cabs and canopies which would be suitable for installation on the equipment listed in paragraph 2 above and which would not diminish the safety of miners. Petitioner has required its suppliers to attempt to design and make available such cabs and canopies. In cooperation with the MESA Technical Support Group, Petitioner will continue

[1] The enclosed affidavits are available for inspection at the address listed in the last paragraph of this notice.

[1] The enclosed affidavits are available for inspection at the address listed in the last paragraph of this notice.

these efforts in the design and construction of such suitable cabs and canopies which will not diminish the safety of miners.

(f) Petitioner will intensify its training and retraining programs involving the roof control plan and roof examination.

REQUESTS FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by April 8, 1970. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FISHBERG,
Acting Director, Office of Hearings and Appeals.

MARCH 1, 1977.

[FR Doc.77-7014 Filed 3-8-77;8:45 am]

[Doc. No. M77-85]

W & W COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), W & W Coal Company, 620 Frederick Street, Bluefield, West Virginia 24701, has filed a petition to modify the application of 30 CFR 75.1103, automatic fire warning devices, to its No. 8 Mine, located in Mercer County, West Virginia.

The substance of Petitioner's statement is as follows:

1. Petitioner's belt line is maintained regularly on an 8-hour shift by one man. This man's duties concern proper maintenance of the belt line. It is his job to grease the rollers, to make sure that the rollers are rolling freely and to make sure that at all times the belt line is clean.

2. Petitioner has permanent stoppings on each side of the belt and a permanent stopping with a main door at the mouth of the drift. Located along the belt line are 250 pounds of rock dust and fire extinguishers at specified intervals.

3. The belt line now extends 1,200 feet into the mine. The life expectancy of this mine is one more year.

4. There are no electrical motors on the belt inside the mine. All electrical systems are on the outside of the mine, 50 feet from the mouth of drift.

5. Due to the fact that this is a nongassy mine, Petitioner feels that it has personnel to maintain this belt hourly and feels that this provides better protection than a monitor.

6. If Petitioner were to go to other means, the man who maintains this belt would lose his job and Petitioner feels this would be unwarranted.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by April 8, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

NEWTON FISHBERG,
Acting Director, Office of Hearings and Appeals.

MARCH 1, 1977.

[FR Doc.77-7015 Filed 3-8-77;8:45 am]

Bureau of Land Management

[Colorado 4436]

COLORADO

Partial Termination of Proposed Withdrawal and Reservation of Lands; Correction

MARCH 1, 1977.

The Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands under serial number Colorado 436, dated January 10, 1976, appearing in the January 21, 1977, issue of the FEDERAL REGISTER at page 3903, is hereby corrected as follows:

The date of the notice is corrected to read "January 10, 1977" and the serial number as it appears in the heading is corrected to read "Colorado 4436".

Wherefore, pursuant to the regulations contained in 43 CFR, Part 2311, the lands will be relieved of the segregative effect of the above-mentioned application 30 days from the date of this notice.

RODNEY A. ROBERTS,
Acting Chief, Branch of Land Operations.

[FR Doc.77-7001 Filed 3-8-77;8:45 am]

[NM 29915]

NEW MEXICO

Application

MARCH 2, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185) as amended by the Act of November 16, 1973 (87 Stat. 576), Transwestern Pipeline Company has applied for one 6-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 19 S., R. 25 E.,
Sec. 31, SE¼SW¼ and S½SE¼;
Sec. 32, SW¼SE¼.

This pipeline will convey natural gas across 0.794 miles of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Mineral Operations.

[FR Doc.77-7002 Filed 3-8-77;8:45 am]

[NM 27256]

NEW MEXICO

Restoration of Public Lands

By Powersite Cancellation No. 175 (42 FR 10344 of February 22, 1977), the U.S. Geological Survey canceled Powersite Classification No. 327 of October 4, 1941, effective February 15, 1977. The affected land is described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 11 S., R. 20 W.,
Sec. 23, lot 9

The area described aggregate 35.67 acres in Catron County.

Pursuant to authority delegated by Bureau of Land Management Order No. 701 dated July 23, 1964 (29 FR 10526), as amended, it is ordered as follows:

At 10 a.m. on March 11, 1977, the above described lands will be restored to the operation of the public land laws generally, subject to valid existing rights. All valid applications received prior to that time will be considered as simultaneously filed at that time.

Further information regarding these lands is available from the Chief, Division of Technical Services, Bureau of Land Management, P.O. Box 1449, Santa Fe, NM 87501.

ARTHUR W. ZIMMERMAN,
State Director.

[FR Doc.77-7003 Filed 3-8-77;8:45 am]

[NM 29900]

NEW MEXICO

Application

MARCH 2, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Northwest Pipeline Corporation has applied for five-buried cathodic protection cable rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 5 W.,
Sec. 6, SW¼NW¼ and NW¼SW¼;
Sec. 19, SE¼SE¼;
Sec. 20, SW¼SW¼;
Sec. 26, SW¼NW¼;
Sec. 27, SE¼NE¼;
Sec. 33, E½NE¼ and NE¼SE¼.
T. 29 N., R. 6 W.,
Sec. 33, E½NW¼, SW¼NW¼ and NW¼SW¼.

The cables are necessary to provide cathodic protection for gas wells and will cross 1.284 miles of national resource lands in Rio Arriba County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, New Mexico 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-7004 Filed 3-8-77;8:45 am]

[NM 29857, 29858, 29859, and 29860]

NEW MEXICO

Applications

MARCH 1, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185) as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for four 4½-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 27 N., R. 12 W.,
Sec. 14, NE¼NW¼ and S½NW¼.
T. 26 N., R. 12 W.,
Sec. 17, NW¼SW¼;
Sec. 18, SE¼NE¼ and NE¼SE¼;
Sec. 34, E½SE¼.

These pipelines will convey natural gas across 1.299 miles of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, New Mexico 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-7005 Filed 3-8-77;8:45 am]

[N-16377]

NEVADA

Proposed Withdrawal and Reservation of Lands

FEBRUARY 28, 1977.

The U.S. Forest Service filed application N-16377 on February 11, 1977, for the withdrawal of lands described below from settlement, sale, location or entry under the public land laws, including the mining and mineral leasing laws and disposals of materials under the Act of July 31, 1947, as amended (30 U.S.C. 601, 602).

The applicant desires the lands for an administrative site in connection with the Humboldt National Forest.

On or before April 8, 1977, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976 (hereinafter referred to as the act), an opportunity for a public hearing is hereby afforded. All interested persons who desire to be heard on the proposed withdrawal must submit a written request for a hearing to the State Director, Bureau of Land Management, 3008 Federal Building, 300 Booth Street, Reno, Nevada 89509, within the 30-day period allowed. Upon determination by the State Director that a public hearing will be held, the time and place will be announced.

Effective March 9, 1977, the lands will be segregated to the extent described above for a period of two years unless the application is rejected prior to that date. If the withdrawal is approved, the segregation will continue for the duration of the withdrawal.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested. The determination of the Secretary on the application will be published in the FEDERAL REGISTER.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

T. 34 N., R. 55 E.,
Sec. 2, S½SE¼NE¼.

The area described contains 20 acres.

WM. J. MALENCIK,
Chief, Division of Technical Services.

[FR Doc.77-7006 Filed 3-8-77;8:45 am]

[U-36494]

UTAH

Application

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northwest Pipeline Corporation has applied for a cathodic protection station right-of-way across the following lands:

SALT LAKE MERIDIAN, UTAH

T. 18 S., R. 24 E.,
Sec. 24, NW¼NE¼, SW¼NE¼.

The cathodic protection station is necessary for the protection and safe operation of Northwest Pipeline Corporation's natural gas pipeline system.

The purpose of this notice is to inform the public that the Bureau will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved, and if so, under what terms and conditions.

Interested persons should express their interest and views to the Moab District Manager, Bureau of Land Management, P.O. Box 970, Moab, Utah 84532.

PAUL L. HOWARD,
State Director.

FEBRUARY 25, 1977.

[FR Doc.77-7007 Filed 3-8-77;8:45 am]

INTERNATIONAL TRADE COMMISSION

USITC SE-77-20

GOVERNMENT IN THE SUNSHINE

Commission Meeting for March 17, 1977

Interested members of the public are invited to attend and to obeserve the meeting of the United States International Trade Commission to be held on Thursday, March 17, 1977, beginning at 9:30 a.m., in the Hearing Room of the United States International Trade Commission, 701 E Street N.W., Washington, D.C. 20436. Except as herein after specified, the Commission plans to consider the following agenda items in open session.

1. Agenda;
2. Minutes;
3. Discussion of corrections to the transcripts of Government in the Sunshine meetings;
4. Chicory root (Inv. 337-TA-27);
5. Status report on the study on Customs oversight;
6. Classification appeal regarding a staff member;
7. Reorganization.

If you have any questions concerning the agenda for the March 17, 1977, Commission meeting, please contact the Secretary to the Commission at (202) 523-0161. Access to documents to be considered by the Commission at the meeting is provided for in Subpart C of the Commission's rules (19 CFR 201.17-201.21).

On the authority of 19 U.S.C. 1335 and in conformity with proposed 19 CFR 201.38(a), when a person's privacy interests may be directly affected by holding a portion of a Commission meeting in public, that person may request the Commission to close such portion to public observation. Such requests should be communicated to the Office of the Chairman of the Commission.

Pursuant to the specific exemptions of 5 U.S.C. 552b(c) (2) and (6), on the authority of 19 U.S.C. 1335, and in conformity with proposed 19 C.F.R. 20136(b) (2) and (6), Commissioners Parker, Moore, Bedell, and Ablondi voted to hold the portion of the March 17, 1977, meeting with respect to the selection of personnel under reorganization (agenda item No 77) in closed session. Commissioners Minchew and Leonard voted against closing this portion to the public.

A majority of the entire membership of the Commission felt that this portion of the meeting should be closed to the public since: (1) the discussion would only concern internal personnel practice and procedures; and (2) the information discussed in such portion would be likely to disclose information of a personal nature which could constitute a clearly unwarranted invasion of personal privacy.

Those persons expected to be present at this closed portion, and their corresponding affiliations, are listed as follows:

Daniel Minchew, Chairman.
Joseph O. Parker, Vice Chairman.
Will E. Leonard, Commissioner.
George M. Moore, Commissioner.
Catherine Bedell, Commissioner.
Italo H. Ablondi, Commissioner.
Kenneth R. Mason, Secretary.
Jayne L. Silva, Staff Assistant (if Mr. Mason is not available).
E. Bernice Morris, Staff Assistant.
Charles R. Ramsdale, Director, Personnel.
Norma H. Warbis, Personnel Management Specialist (if Mr. Ramsdale is not available).
Bruce N. Hatton, Assistant to Commissioner Leonard.

The General Counsel to the Commission certified that it is his opinion that the Commission's action in closing this portion of its meeting of March 17, 1977, was properly taken by a vote of a majority of the entire membership of the Commission pursuant to 5 U.S.C. 552b (d)(1) and in conformity with proposed 19 C.F.R. 201.36(e). The discussion to be held in closed session is within the specific exemptions of 5 U.S.C. 552b(c) (2) and (6) and proposed 19 C.F.R. 201.36(b) (2) and (6).

By order of the Commission.

Issued: March 4, 1977.

RUSSELL N. SHEWMAKER,
General Counsel.
KENNETH R. MASON,
Secretary.

[FR Doc.77-7025 Filed 3-8-77;8:45 am]

NATIONAL COMMISSION ON ELECTRONIC FUND TRANSFERS

MEETINGS; AMENDMENT

As previously scheduled (41 FR 12356), the Commission will meet on Friday, March 11, 1977. The Steering Committee will meet first, beginning at 10 a.m., followed by a meeting of the full Commission in Dining Room E of the Federal Reserve Martin Annex Building in Washington, D.C. The purpose of the meeting is to consider the Commission's research agenda for the next several months.

The meeting will be open to public observation to the extent that limited space permits. Any person interested in observing the meeting should first call Ms. Janet Miller at (202) 634-1746.

In April the Commission will meet on April 15, rather than on April 8 as previously scheduled. The exact time and place for this meeting will be published at a later time.

Dated: March 3, 1977.

JAMES O. HOWARD, Jr.,
Advisory Committee Management Officer.

[FR Doc.77-6953 Filed 3-8-77;8:45 am]

NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES

PRIVACY ACT OF 1974

Revocation and Transfer of Systems of Records

MARCH 2, 1977.

Pursuant to the provisions of the Privacy Act of 1974, Public Law 93-579, 5 U.S.C. 552a, the National Commission on Supplies and Shortages published in the FEDERAL REGISTER (41 FR 14497, and 51784) notices of the existence of the following systems of records subject to the Privacy Act: NCSS-1, Financial Records; NCSS-2, Payroll Records; NCSS-3, Personnel Files; NCSS-4, Personnel Security Files.

The National Commission on Supplies and Shortages will cease operations March 31, 1977, and the aforementioned systems of records revoked on that date.

The systems of records disposition subsequent to March 31, 1977, follows:

NCSS-1: FINANCIAL RECORDS

To be retained by General Services Administration Central Office (Office of Finance), for use in concluding administrative operations of the Commission as part of the GSA system of records, Defunct Agency Records GSA/OAD-36.

NCSS-2: PAYROLL RECORDS

To be retained by General Services Administration, Region 3, Payroll Processing Branch, for use, as above.

NCSS-3: PERSONNEL FILES

To be retained by General Services Administration Central Office (Office of Management Services), for use, as above, or to be disposed of in accordance with General Records Schedule #1, Civilian Personnel Records, as approved by the Archivist of the United States.

NCSS-4: PERSONNEL SECURITY FILES

To be retained by General Services Administration Central Office (Office of Investigations), for use, as above, or to be disposed of in accordance with General Records Schedule #18, Security and Protective Services Records, as approved by the Archivist of the United States.

Copies held by the Commission will be destroyed on or before March 31, 1977.

GEORGE C. EADS,
Executive Director.

[FR Doc.77-6925 Filed 3-8-77;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

EXPANSION ARTS ADVISORY PANEL

Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Expansion Arts Advisory Panel to the National Council on the Arts will be held on March 22-25, 1977, from 9 a.m. to 5:30 p.m., in Room 1422, Columbia Plaza Building, 2401 E Street N.W., Washington, D.C.

A portion of this meeting will be open to the public on March 22, from 9 a.m. to 12:30 p.m. on a space available basis. Accommodations are limited. The agenda for this session will include a discussion of program policy.

The remaining sessions of this meeting on March 22, from 12:30 p.m. to 5:30 p.m., and March 23-25, from 9 a.m. to 5:30 p.m., are for the purpose of Council review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.77-6979 Filed 3-9-77;8:45 am]

PUBLIC MEDIA ADVISORY PANEL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a closed meeting of the Public Media Advisory Panel to the National Council on the Arts will be held on March 22-23, 1977, from 9 a.m. to 5:30 p.m., in the 12th Floor Screening Room, Columbia Plaza Building, 2401 E Street NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including

discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.77-6980 Filed 3-9-77;8:45 am]

SPECIAL PROJECTS ADVISORY PANEL

Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Special Projects Advisory Panel to the National Council on the Arts will be held on March 25-26, 1977, from 9 a.m. to 5:30 p.m. Sessions on March 25 will be held in Room 1345 and on March 26 in Room 1422 of the Columbia Plaza Building, 2401 E Street NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.77-6982 Filed 3-9-77;8:45 am]

THEATRE ADVISORY PANEL

Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a closed meeting of the Theatre Advisory Panel to the National Council on the Arts will be held on March 26-28, 1977, from 9:30 a.m. to 5:30 p.m., in the Essex House, 160 Central Park South, New York City, New York.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.77-6981 Filed 3-9-77;8:45 am]

NATIONAL SCIENCE FOUNDATION

BIOLOGICAL RESEARCH RESOURCES PROGRAM

Meeting on Long-Term Ecological Measurements

The Biological Research Resources Program of the National Science Foundation is sponsoring a meeting to be held at the Marine Biological Laboratory, Woods Hole, Massachusetts on March 16, 17 and 18, 1977.

The meeting, involving approximately 20 invited participants, is to study the feasibility of establishing an integrating system for collection of long time-series data. The focus will be on the fundamental scientific needs of ecology, rather than on applied aspects.

While this meeting is not considered to be a meeting of an "advisory committee" as defined in Section 3 of the Federal Advisory Committee Act (Pub. L. 91-463), the meeting is believed to be of sufficient importance and interest to the general public to be announced in the FEDERAL REGISTER as a meeting open to the public.

The meeting will be chaired by Daniel B. Botkin of the Marine Biological Laboratory.

Copies of the final report of the meeting will be available through William E. Sievers, Biological Research Resources Program, NSF, Washington, D.C. 20550.

WILLIAM E. SIEVERS,
Program Director, Biological Research Resources Program.

MARCH 4, 1977.

[FR Doc.77-6997 Filed 3-8-77;8:45 am]

ALAN T. WATERMAN AWARD COMMITTEE

Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the National Science Foundation announces the following:

Name: Alan T. Waterman Award Committee.
Date and Time: March 29, 1977—8:30 a.m. to 5 p.m.
Place: Room 517, National Science Foundation, Washington, D.C. 20550.
Type of meeting: Closed.
Contact person: Dr. Jack Sanderson, Director, Office of Planning and Resources Management, National Science Foundation, Washington, D.C. 20550, telephone (202) 632-4364.
Purpose of award committee: To provide recommendations concerning the recipient of the Alan T. Waterman Award.
Agenda: To review nominations as part of the selection process for the Award.
Reason for closing: The nominations being reviewed include information of a personal and confidential nature. These matters are within exemption (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.
Authority to close meeting: The determination made by the Acting Director of the National Science Foundation on February 14, 1977, pursuant to the provisions of Section 10(d) of P.L. 92-463.

M. REBECCA WINKLER,
Acting Committee Management Officer.

MARCH 4, 1977.

[FR Doc.77-6998 Filed 3-8-77;8:45 am]

OFFICE OF THE FEDERAL REGISTER

EDUCATIONAL WORKSHOPS ON HOW TO USE THE FEDERAL REGISTER

Workshop in Honolulu, Hawaii

The Office of the Federal Register (OFR) will hold a workshop on "The FEDERAL REGISTER—What It Is and How To Use It" in Honolulu, Hawaii, as part of the General Services Administration's Consumer Representation Plan.

Workshop Date: Wednesday, April 6, 9:00 a.m. (Reservations required).
Location: Room 202 Kuykendall Hall, Manoa Campus, University of Hawaii.

For reservations call Bernice Wong at 808-948-8175.

AGENDA

The workshop will last for approximately three hours and will cover the following areas:

1. A brief history of the FEDERAL REGISTER.

2. The difference between legislation and regulations.

3. The relationship of the FEDERAL REGISTER and the Code of Federal Regulations.

4. Important elements of a typical FEDERAL REGISTER document.

5. An introduction to the finding aids of the OFR and a practical exercise using those finding aids.

The OFR does not interpret specific agency regulations and the workshops will not provide a forum for the discus-

sion of substantiative questions. Rather, the workshops are designed as an introduction for the person who discovers that he or she must use FEDERAL REGISTER publications to keep track and to gain an understanding of Federal regulations.

Dated: February 24, 1977.

FRED J. EMERY,
Director of the Federal Register.

[FR Doc.77-7155 Filed 3-8-77;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on March 2, 1977 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

UNITED STATES INTERNATIONAL TRADE COMMISSION

Presurvey Questionnaire to the Producers of Fresh Cut Flowers, single-time, commercial fresh cut flower producers, Evinger, S.K., 395-3710.

DEPARTMENT OF AGRICULTURE

Forest Service: National Skier Market Study—Request for Proposal, single-time, Outdoor Recreationist, Maria Gonzalez, 395-6132.

DEPARTMENT OF COMMERCE

Maritime Administration:
- Report of Revenues Earned for Calendar Year, Cumulative Quarterly Period Ending or Other Cumulative Period Ending, MA-819, annually, U.S. flag liner shipping companies, Warren Topelius, 395-5872.
- 1977 Worldwide Shipping Pilot Questionnaire, single time, U.S. merchant ship masters, Warren Topelius, 395-5872.

Bureau of Census: 1977 Census of Transportation Nonregulated Bus and Motor Carrier Survey, TC-41 and 42, single time, nonregulated bus and truck carriers, Strasser, A., 395-5867.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service: 1977-78 National Inventory of Optomerist, single time, licensed optometrists in non-CHSS States, Richard Eisinger, Strasser, A., 395-6140.

DEPARTMENT OF LABOR

Employment and Training Administration:
- An Analysis of Unassigned Recipients in the WIN Program, MT-280, single time, WIN recipients, Sunderhauf, M. B., 395-6140.
- Program Monitoring System Handbook, ETA 355, single time, State employment agencies, Warren Topelius, 395-5872.

REVISIONS

DEPARTMENT OF AGRICULTURE

Economic Research Service: Cost of Production Survey, other (see SF-83), sample of farms producing commodities being surveyed, Will Sherman, 395-4730.

DEPARTMENT OF COMMERCE

Bureau of Census, Knit Fabric Production, MQ-22K, MA-22K, quarterly, knit fabric producers, C. Louis Kincannon, 395-3211.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary: Study of Family Economics: Basic Questionnaire and Wives Questionnaire, OS-6-77, annually, heads of households in the Michigan longitudinal study, Sunderhauf, M. B., 395-6140.

DEPARTMENT OF LABOR

Employment Standards Administration: Application for Authority to Employ Full-Time Students at Subminimum Wages in Retail or Service Establishments or Agriculture, WH-200, on occasion, retail and service establishments and agricultural employers, Strasser, A., 395-5867.

EXTENSIONS

DEPARTMENT OF LABOR

Employment Standards Administration: Employee Personal Interview Statement, WH-31, on occasion, employees, Strasser, A., 395-5867.

Employment and Training Administration: Jobs Corps Health Questionnaire, MA6-53, on occasion, disadvantaged youth, Warren Topelius, 395-5872.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.77-7062 Filed 3-8-77;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clerance of reports intended for use in collecting information from the public received by the Office of Management and Budget on March 3, 1977 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collecton.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control: Amended Annual Program Plan for FY 1879, Part B, Education of the Handicapped Act, OE-9055, single time, State education agencies, Caywood, D. P., 395-3443.

DEPARTMENT OF TRANSPORTATION

Departmental and Other Discussion Subjects for Five Different Types of Respondents to Offshore Pipeline Study, single time, organizations involved in offshore pipelining, Ellett, C. A., 395-5867.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration: Physician Extender Study, 1—Physician Comparison, 2—Physician, 3—NP/PA/Medex, SSA 9761, on occasion, sample of 200 primary medical practices participating in SSA, Richard Eisinger, 395-6140.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary: Home Inspection and Warranty Program Study Needs and Demand Survey Instruments, single time, individuals, houring, Veterans and Labor Division, Larry Haber, 395-3532.

EXTENSIONS

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration: Equal Employment Opportunity Compliance Safe Streets Act (Construction projects), LEAA7400/1, on occasion, 52 SPA's, Lowry, R. L., 395-3772.

Immigration and Naturalization Service:
- Biographic Information, G-325, on occasion, applicants for permanent residence and citizenship, Warren Topelius, 395-5872.
- Registration for Classification as Conditional Entrant, I-590, on occasion, conditional entrants, Warren Topelius, 395-5872.
- Application for Status as Permanent Resident, I-485, on occasion, applicants for permanent residence, Warren Topelius, 395-5872.
- Guarantee of Payment (Aliens on Vessel or Aircraft), I-510, on occasion, masters of vessels or aircraft, Warren Topelius, 395-5872.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.77-7063 Filed 3-8-77;8:45 am]

RENEGOTIATION BOARD

MEETING

Pursuant to RBR 1482.3(a) of its regulations, the Renegotiation Board hereby announces its intention to conduct a meeting as follows:

Time: March 15, 1977 at 10:00 a.m.

Place: Conference Room, 4th floor, 2000 M Street, NW., Washington, D.C. 20446.

Subject matter: 1. Approval of Minutes of meeting held March 8, 1977, and other Board meetings, if any.

2. Partial Mandatory New Durable Productive Equipment Exemption: Warner & Swasey Company; fiscal year ended December 31, 1972.

3. Recommended Clearances Without Assignment:

(a) Canton Drop Forging and Mfg. Co., fiscal year ended December 31, 1975.

(b) N L Industries, Inc., fiscal year ended December 31, 1974.

(c) The Hawkins-Hamilton Company, fiscal years ended December 31, 1974 and 1975.

(d) Stratoflex, Incorporated, fiscal year ended February 29, 1976.

(e) Co-Operative Industries, Inc., fiscal year ended December 31, 1975.

(f) Bourns, Inc., fiscal years ended December 31, 1974 and 1975.

(g) Precision Monolithics, Inc., fiscal years ended December 31, 1974 and 1975.

(h) Analog Integrated Microsystems, Inc., fiscal years ended December 31, 1974 and 1975.

4. Recommended Determination of Clearance: Zero Manufacturing Co. (Consolidated), fiscal year ended March 31, 1974.

5. Recommended Clearance Without Assignment: New Bradford Dyeing Association, Inc., fiscal year ended October 31, 1975.

6. Recommended Assignments to Regional Boards:

(a) Esso Standard Sekiyu Kabush, fiscal years ended December 31, 1972 and 1974.

(b) Esso AG, fiscal years ended December 31, 1970, 1971 and 1972.

(c) Esso Pappas Industrial Co., fiscal years ended December 31, 1970 and 1971.

(d) Esso Standard Oil Co. (Puerto Rico), fiscal year ended December 31, 1970.

(e) Mediterranean Standard Oil, fiscal years ended December 31, 1970, 1971 and 1972.

(f) Thessaloniki Refining Co., fiscal years ended December 31, 1970, 1971 and 1972.

(g) Esso Eastern Inc., fiscal year ended December 31, 1974.

(h) Esso Standard Products & Trading Co., fiscal year ended December 31, 1974.

(i) Esso Standard Sekiyu Okinawa, fiscal years ended December 31, 1973 and 1974.

(j) Exxon Research Engineering, fiscal year ended December 31, 1974.

7. Court of Claims Case: *Bennett Box & Pallet Co., Inc.* v. *U.S.* Court of Claims Nos. 617–71, 383–72 and 413–73.

8. Court of Claims Case: *Instrument Systems Corp. and Harold Beck* v. *U.S.*, Court of Claims Nos. 338–73 and 339–73.

9. Approval of Agenda for meeting to be held March 29, 1977.

10. Approval of Agenda for other meetings.

Public observation: (1) Open; (2) open; (3) open; (4) open; (5) open; (6) closed; (7) closed; (8) closed; (9) not applicable; and (10) not applicable.

Office to be contacted: Kelvin H. Dickinson, Assistant General Counsel—Secretary, Office of the Secretary, 2000 M Street, NW., Washington, D.C. 20446, 202/254–6277.

(Sec. 3(a), Pub. L. 94–409, 90 Stat. 1241; (5 U.S.C. 552b(e)(3)))

Dated: March 4, 1977.

REX M. MATTINGLY,
Chairman.

[FR Doc.77–6972 Filed 3–8–77;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 19910; 70–5970]

CENTRAL & SOUTH WEST CORP.

Proposed Charter Amendment Increasing Amount of Authorized Common Stock and Order Authorizing Solicitation of Proxies

MARCH 1, 1977.

Notice is hereby given That Central and South West Corporation ("CSW"), P.O. Box 1631, Wilmington, Delaware 19899, a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating Sections 6(a), 7 and 12(e) of the Act and Rule 62 promulgated thereunder, as applicable to the following proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

CSW proposes to amend its Restated Certificate of Incorporation, as heretofore amended, to increase its authorized common stock, par value $3.50, from 58,300,000 to 65,300,000 shares ("additional shares"). CSW states that the increase of 7,000,000 in its authorized Common Stock is proposed to permit the issuance and sale of additional common stock during the next two years. CSW states that proceeds from the sale of such additional shares will be used to help finance planned construction expenditures of its subsidiaries which are estimated at approximately $1,100,000,000 for 1977–1978. CSW states that approximately 51,460,000 shares of common stock are now outstanding.

CSW proposes to submit the amendment to its stockholders at the Annual Meeting to be held on April 21, 1977. CSW proposes to submit proxies from its shareholders, through the use of the proposed soliciting material to obtain the required approval of the proposed amendment and to elect directors and select auditors. An affirmative vote of the holders of a majority of the outstanding shares of common stock issued and entitled to vote at the annual meeting is required for adoption of the amendment.

Total fees and expenses to be incurred in connection with the proposed transaction, including proxy solicitation costs, are estimated to be $29,050, including $1,500 in legal fees. CSW states that no state commission and no federal commission, other than this Commission has jurisdiction over the proposed transaction.

Notice is further given That any interested person may, not later than March 24, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

It appearing to the Commission that the declaration, insofar as it proposes to solicitation of proxies from CSW's stockholders, should be permitted to become effective forthwith pursuant to Rule 62:

It is ordered That the declaration, regarding the proposed solicitation of proxies of CSW's stockholders be, and it hereby is, permitted to become effective forthwith pursuant to Rule 62 and subject to the terms and conditions prescribed in Rule 24 under the Act.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77–6929 Filed 3–8–77;8:45 am]

EQUITY EXCHANGE FUND

Application for Order Declaring That Equity Exchange Fund Has Ceased To Be Investment Company

MARCH 2, 1977.

Notice is hereby given that Equity Exchange Fund ("Applicant"), 1500 Walnut Street, Philadelphia, Pennsylvania 19102, registered with the Commission as an open-end diversified management investment company under the Investment Company Act of 1940 ("Act"), filed an application on December 10, 1976, pursuant to Section 8(f) of the Act, for an order of the Commission declaring that it has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant, a limited partnership formed under the Uniform Limited Partnership Acts of the States of New Jersey and California, registered under the Act on September 8, 1976. Applicant subsequently registered its Units of Limited Partnership Interest ("Shares") for sale to the public under the Securities Act of 1933, effective October 15, 1976.

Applicant states that its purpose was to provide an investment medium to persons having substantial holdings of individual securities acceptable to Applicant with relatively large unrealized capital appreciation who wished to exchange such holdings for Shares of Applicant without incurring Federal capital gains tax liability by reason of the exchange. The provisions of the Tax Reform Act of 1976 which authorized the exchange of securities for Shares of Applicant without capital gains tax liability to investors required, inter alia, that all deposits of securities with Applicant be made by December 3, 1976. Applicant states that no sales were made pursuant to its Registration Statement, which was withdrawn on December 6, 1976.

Applicant represents that its Partnership Agreement required that the Applicant have an initial capitalization of at least $25,000,000 from its initial public offering of its shares and further required that Applicant be dissolved and terminated if this minimum capitalization were not received. Applicant states that it did not receive sufficient deposits of securities and cash prior to December 3, 1976 to achieve this minimum capitalization, and that all deposits of securities and cash received by Applicant from the public offering of its Shares were returned to the depositors prior to December 3, 1976.

Applicant represents that the sole owners of its Shares are its nine General Partners and its original Limited Partner, all of whom have taken the necessary action under its Partnership Agreement to dissolve and terminate Applicant; that appropriate documents are being filed with state authorities; and that upon such filing, Applicant will no longer exist.

Section 8(f) of the Act provides in part that whenever the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than March 28, 1977, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6930 Filed 3-8-77;8:45 am]

[Release No. 9658; 811-2391]

FUND FOR FEDERAL SECURITIES, INC.

Application for Order Declaring That Company Has Ceased To Be Investment Company

MARCH 1, 1977.

Notice is hereby given that Fund for Federal Securities, Inc. ("Applicant"), P.O. Box 1100, Valley Forge, Pennsylvania 19482, an open-end, diversified investment company registered under the Investment Company Act of 1940, ("Act") filed an application on January 17, 1977, pursuant to Section 8(f) of the Act, for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant was organized as a Maryland corporation on June 23, 1973, and registered under the Act by filing a Form N-8A Notification of Registration on July 10, 1973.

On February 19, 1976, the Board of Directors of the Applicant, by unanimous vote, approved a plan to liquidate and dissolve the Applicant and to cease business as an investment company. This plan was approved by shareholders at a special meeting held on April 29, 1976.

Applicant asserts that it ceased all business on April 29, 1976 and since that date has not engaged in any business activities except for the purpose of winding up its business and affairs and distributing its assets to shareholders in accordance with the plan of liquidation. Applicant further represents that it has completed the liquidation of its assets and on the date of the application had no assets and no shareholders. Applicant states that it has filed Articles of Dissolution with the State of Maryland and will be dissolved in accordance with the laws of that State.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than March 25, 1977, at 5:30 p.m., submit to the Commission in writing a a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6931 Filed 3-8-77;8:45 am]

[Rel. No. 19911; 70-5967]

INDIANA & MICHIGAN POWER CO.

Proposed Issuance of Additional Notes Under Amended Bank Loan Agreement

MARCH 1, 1977.

Notice is hereby given that Indiana & Michigan Power Company ("I&MP"), P.O. Box 458, Bridgman, Michigan 49106, an electric generating subsidiary company of Indiana & Michigan Electric Company ("I&M"), an electric utility subsidiary company of American Electric Power Company, Inc., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a) and 7 of the Act and Rule 50(a)(2) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

I&MP, a Michigan corporation, was organized for the purpose of acquiring, completing the construction of, and operating, the Donald C. Cook Nuclear Plant ("Cook Plant"), a nuclear fueled steam electric generating station situated in Michigan along the shore of Lake

Michigan near Bridgman, Michigan. By order issued May 20, 1971 (HCAR No. 17135), the Commission authorized I&MP to acquire the Cook Plant from I&M. The Cook Plant is to consist of two nominally rated 1,100,000 kilowatt generating units, the first of which was placed in commercial operation on August 23, 1975 and the second of which is scheduled to be placed in commercial operation in 1978 or later. It is estimated that the total construction costs of the Cook Plant will equal at least $970,000,000. Construction costs aggregating $852,982,000 have been incurred through November 30, 1976.

To finance the purchase and to continue construction, I&MP issued and had outstanding, as of September 30, 1976, the following securities:

	Actual (in thousands)	Percent
Long-term debt:		
First mortgage bonds	75,000	8.67
Notes payable to banks	300,000	34.68
Subordinated notes—I&M due 1981	69,000	7.97
Unamortized debt discount	(261)	(.03)
Total	443,739	51.29
Common stock equity	421,366	48.71
Total capitalization	865,105	100.0

All of the common stock of I&MP is owned by I&M. I&MP and I&M have entered into a Capital Funds Agreement and a Power Agreement, under the latter of which, the right to all power and energy available at the Cook Plant is held by I&M. The $75,000,000 principal amount bonds are a 10⅞ percent Series due 1984. The bank notes, issued under a Bank Loan Agreement dated July 1, 1971, as amended, mature September 30, 1980.

I&MP proposes by a further amendment to the Bank Loan Agreement to raise the present borrowing limit of $300,000,000 by an additional $75,000,000 so as to permit I&MP to finance the completion of the construction of the Cook Plant on what I&MP states is the most economical basis.

The proposed additional notes to banks will bear interest at a rate per annum equal to 115 percent of the prime commercial loan rate in effect from time to time of Manufacturers Hanover Trust Company ("Manufacturers"). I&MP will also be obliged to pay to each bank substitute interest computed at the rate of ½ percent on the daily average unused amount of the commitment for such bank, such obligation to pay substitute interest commencing on March 1, 1977 and terminating on April 1, 1978. I&MP states that it does not plan to maintain any compensating balances in connection with the additional notes. The additional notes may be prepaid in whole or in part at any time without premium or penalty, unless such prepayment is made from the proceeds of, or in anticipation of, a borrowing by I&MP from banking institutions at a rate of interest equal to or less than the then applicable interest rate on any of the notes outstanding under the Bank Loan Agreement, in which event I&MP will be obligated to pay a premium in an amount equivalent to interest at the rate of ¼ of 1 percent per annum on the amount of such prepayment from the date thereof to September 30, 1980. It is stated that the additional notes will rank pari passu with notes presently outstanding under the Bank Loan Agreement and will in other respects be entitled to the benefits afforded by the Bank Loan Agreement, as proposed to be amended. It is further stated that the effective cost of borrowing to I&MP under the Bank Loan Agreement, as amended, after the full $75,000,000 has been borrowed, would be 7.1875 percent per annum, assuming a prime commercial rate of Manufacturers of 6¼ percent, presently in effect.

The proceeds from the issue of the additional notes will be utilized by I&MP for construction of the Cook Plant, and for the acquisition of equipment, materials and supplies relating thereto.

I&MP claims exception from the competitive bidding requirements of Rule 50 by reason of Rule 50(a)(2), and in support thereof, asserts that the notes have a maturity of less than ten years and will be issued and sold to commercial banks, not for resale to the public; and that no finder's or other fee, commission or remuneration is to be paid in connection therewith to any third person for negotiating the transaction.

Estimates of expenses to be incurred by I&MP in connection with the proposed transaction will be filed by amendment. I&MP is requesting the Michigan Public Service Commission to determine that it lacks jurisdiction over the proposed transaction, or, in the alternative, to authorize this transaction. It is stated that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, no later than March 24, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6932 Filed 3-8-77;8:45 am]

[Rel. No. 9662, 812-4074]

LUTHERAN BROTHERHOOD FUND, INC., ET AL.

Application To Permit an Offer of Exchange and Provide an Exemption

MARCH 2, 1977.

Notice is hereby given, That Lutheran Brotherhood Fund, Inc. ("Stock Fund"), Lutheran Brotherhood Income Fund, Inc. ("Income Fund"), Lutheran Brotherhood U.S. Government Securities Fund, Inc. ("Government Fund"), and Lutheran Brotherhood Municipal Bond Fund, Inc, ("Municipal Fund"), 421 Seventh Avenue, Pittsburgh, Pennsylvania 15219, each of which is registered with the Commission as an open-end, diversified, management investment company under the Investment Company Act of 1940 ("Act"), and Lutheran Brotherhood Securities Corp., 701 Second Avenue South, Minneapolis, Minnesota 55402 (collectively referred to with the above mentioned funds ("Funds") as "Applicants"), have filed an application on December 29, 1976, for orders pursuant to (i) Section 11(a) of the Act to permit Municipal Fund to offer to exchange its shares for shares of Stock Fund, Income Fund or Government Fund on a basis other than the relative net asset values of the Fund shares involved at the time of the exchange; (ii) Section 6(c) of the Act to exempt Applicants from the provisions of Section 22(d) of the Act and Rule 22d-1 thereunder in connection with such exchange; and (iii) Section 6(c) of the Act to exempt Applicants from the provisions of Section 22(d) of the Act and the rules and regulations thereunder to the extent necessary to permit the reduction of sales loads where proceeds of certain insurance products are used to purchase shares of the Funds under described circumstances. All interested persons are referred to the application on file with the Commission for a statement of the facts and representations therein, which are summarized below.

Lutheran Brotherhood is a fraternal benefit insurance society offering life insurance and annuity contracts exclusively to Lutherans and individuals affiliated with Lutheran Church organizations.

Lutheran Brotherhood Securities Corp., acts as principal underwriter for sale of the Funds' shares to those persons qualified under the Funds' prospectuses. Lutheran Brotherhood owns 51 percent of the outstanding shares of Lutheran

Brotherhood Securities Corp. and Federated Investors, Inc. of Pittsburgh, Pennsylvania, owns 49 percent. Shares of each Fund are offered to the public at a price based on net asset value plus a sales charge that varies with the quantity of securities purchased. The current sales charge is as follows:

Amount invested:	*Sales charge as percentage of offering price*
Less than $10,000	8½
$10,000 but less than $25,000	7½
$25,000 but less than $50,000	6
$50,000 but less than $100,000	4
$100,000 but less than $250,000	2
$250,000 but less than $500,000	1
$500,000 or more	½

Shares of Income Fund Stock Fund, Government Fund, and Municipal Fund at present may be exchanged for shares of any other of such Funds on the basis of relative net asset value per share at the time of exchange without any sales charge.

Applicants state that the Municipal Fund's Board of Directors approved a reduction in the sales charge of Municipal Fund for the period October 7, 1976, through December 3, 1976 ("Special Offering"), and that an appropriate registration statement was filed. During the Special Offering, the sales charge on shares of the Municipal Fund was as follows:

Size of transaction at offering price:	*Sales charge as percentage of offering price*
Less than $10,000	1.9
$10,000 but less than $25,000	1.9
$25,000 but less than $50,000	1.0
$50,000 but less than $100,000	.5
$100,000 but less than $250,000	.3
$250,000 but less than $500,000	.2
$500,000 or more	.1

Applicants propose to offer shares of Income Fund, Stock Fund, and Government Fund in exchange for shares of Municipal Fund that were purchased during the Special Offering, on the basis of relative net asset values at the time of exchange, plus the difference between the sales charge described in the prospectus of the Fund being acquired and the sales charge paid on such Municipal Fund shares purchased during the Special Offering. An investor acquiring shares of Income Fund, Stock Fund, or Government Fund through an exchange of shares of Municipal Fund purchased at the reduced sales charge would, therefore, pay the same total sales charge that he would have paid had he purchased the same number of shares of Income Fund, Stock Fund, or Government Fund directly.

At present, Applicants offer shares of the Funds at one-half their normal sales load to recipients of proceeds from Lutheran Brotherhood insurance and annuity products pursuant to an exemption granted by the Commission in 1975. (See Investment Company Act Release No. 8997, October 21, 1975). That offer is limited to the investment of such proceeds within ninety days of the date of the check issued in payment of such proceeds.

Applicants now propose to extend the existing offer to include investment of all monies derived from death claims, matured endowments, matured annuities and/or lump sum cash options available to holders or beneficiaries of any life insurance or annuity contracts who are also recipients of benefits of Lutheran Brotherhood insurance or annuity contracts. The offer would continue to be applicable only to monies which are applied to the purchase of shares of the Funds within ninety days after the date of a check issued in payment of such insurance or annuity proceeds.

Applicants assert that the selling effort and expenses involved in sales of this type will be less than those entailed in making an initial sale of such shares since the holder or beneficiary of a Lutheran Brotherhood insurance or annuity contract would have a degree of familiarity with Lutheran Brotherhood products and services and since shares of the Fund are to be sold only through sales representatives who are licensed to sell Lutheran Brotherhood insurance and annuity contracts. Applicant estimates that one-half of the normal sales charges appropriately reflects the selling efforts and expenses involved in the sale of Fund shares to Lutheran Brotherhood insurance annuity beneficiaries in the manner set out above.

Section 11(a) of the Act provides, in part, that it shall be unlawful for any registered open-end company or any principal underwriter for such a company to make or cause to be made an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged unless the terms of the offer have first been submitted to and improved by the Commission.

Section 22(d) of the Act provides, in part, that no registered investment company shall sell any redeemable security issued by it to any person except either to or through a principal underwriter for distribution or at a current offering price described in the prospectus and, if such class of security is being currently offered to the public by or through an underwriter, no principal underwriter of such security and no dealer shall sell any such security to any person except a dealer, a principal underwriter, or the issuer except at a current public offering price described in the prospectus. Rule 22d–1 provides an exemption from Section 22(d) to the extent necessary to permit the sale of redeemable securities of a registered investment company at prices which reflect reductions in or eliminations of the sales load under certain stated circumstances.

Applicants state that the purpose of the proposed exchange offer is to permit a shareholder of Municipal Fund who changes his investment objective to change his investment to a different investment company without paying the full sales charge otherwise applicable. Applicants assert that the exchange offer to shareholders of Municipal Fund for Municipal Fund shares acquired during the effectiveness of the Special Offering cannot fairly be made at the relative net asset value of the Fund to be acquired because the Municipal Fund shareholders would have paid substantially less sales load on their investment than similarly situated investors in the Fund to be acquired. Applicants further submit that if shares of Income Fund, Stock Fund, or Government Fund could be acquired at net asset value by exchanging Municipal Fund shares purchased at the reduced sales loads, it is possible that Section 22(d) would be violated since an investor would be able to purchase shares of one of the Funds at a sales charge other than that described in its prospectus merely by purchasing shares of the Municipal Fund at the reduced sales load rates and thereafter exchanging such Municipal Fund shares for shares of one of the other Funds at net asset value.

Section 6(c) provides that the Commission, by rules and regulations upon its own motion, or by order upon application, may conditionally or unconditionally exempt any person, security, or transaction or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given, That any interested person may, not later than March 28, 1977, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as, of course, following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6933 Filed 3-8-77;8:45 am]

[Release No. 19909; 70-5973]

MIDDLE SOUTH UTILITIES, INC.

Proposed Amendment to Articles of Incorporation; Solicitation of Proxies

MARCH 1, 1977.

Notice is hereby given, That Middle South Utilities, Inc. ("Middle South"), 225 Baronne Street, New Orleans, Louisiana 70112, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating Sections 6(a), 7 and 12(e) of the Act and Rule 62 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Middle South's Articles of Incorporation presently provide that common shareholders have preemptive rights only if Middle South offers shares of common stock (including any security convertible into common stock) for money, other than by (a) a public offering, (b) an offering to or through underwriters or investament bankers for prompt public offering or (c) an offering pursuant to a stock option plan for employees of Middle South or of any company of which Middle South holds at least 50 percent of the outstanding voting stock, which plan is approved by the holders of a majority of the outstanding common stock.

Middle South proposes to amend its Articles of Incorporation to limit the preemptive rights of its common shareholders to offerings of shares of common stock (including any security convertible into common stock) for money, other than by (i) a public offering, (ii) an offering to or through underwriters or investment bankers for prompt public offering, (iii) an offering pursuant to grams open to all shareholders, including without limitation dividend reinvestment and stock purchase programs or limited investment programs, or (iv) an offering pursuant to programs for share ownership by, or for the benefit of, employees of Middle South or any company of which Middle South holds directly or indirectly at least 50 percent of the outstanding voting stock, including without limitation employee stock purchase, bonus or option programs.

In furtherance of this proposal Middle South proposes to solicit proxies from the holders of its outstanding stock in connection with its annual meeting of shareholders at which the shareholders will take action upon the proposed amendment to the Articles of Incorporation.

A statement of the fees and expenses to be incurred in connection with the proposed transaction will be filed by amendment. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given, That any interested person may, not later than March 25, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6934 Filed 3-8-77;8:45 am]

[Release No. 13315; SR-MSRB-77-1]

MUNICIPAL SECURITIES RULEMAKING BOARD

Order Approving Proposed Rule Change

MARCH 1, 1977.

On January 18, 1977, the Municipal Securities Rulemaking Board ("MSRB"), Suite 507, 1150 Connecticut Avenue NW., Washington, D.C. 20036, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change. The proposed rule change would revise the reference date to fidelity bonding rules of the National Association of Securities Dealers, Inc. and the Commission in order to incorporate recent changes in Rule 15b10-11 of the Commission.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 13191 (January 19, 1977) and by publication in the FEDERAL REGISTER (42 FR 5167 (January 27, 1977)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the Municipal Securities Rulemaking Board, and in particular, the requirements of Section 15B and the rules and regulations thereunder.

It is therefore ordered, Pursuant to Section 19(b)(2) of the Act, That the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6935 Filed 3-8-77;8:45 am]

[Release No. 34-13308; File No. SR-NSCC-77-1]

NATIONAL SECURITIES CLEARING CORP.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 91-29, 16 (June 4, 1975), notice is hereby given that on February 22, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission proposed rule changes as follows:

TEXT OF PROPOSED RULE CHANGES

Rule 3, Section 1 of the Rules of the SCC Division of National Securities Clearing Corporation (NSCC) states that the SCC Division shall maintain a list of securities which may be the subject of contracts cleared through the SCC Division and which are called "Cleared Securities" and that the SCC Division may from time to time add securities to such list.

The SCC Division of NSCC proposes to add to its list of Cleared Securities all debt securities listed from time to time on the American Stock Exchange, Inc. (AMEX).

Rule 3, Section 1 of the Rules of the ASECC Division of NSCC states that the ASECC Division shall maintain a list of the securities which may be the subject of contracts cleared through the ASECC Division and which are called "Cleared Securities" and that the ASECC Division may from time to time remove securities from such list.

The ASECC Division of NSCC proposes to remove from its list of Cleared Securities all debt securities listed from time to time on AMEX.

NSCC proposes as soon as possible to include in its interfaces with Midwest Clearing Corporation (MCC), Pacific Clearing Corporation (PCC) and Stock Clearing Corporation of Philadelphia (SCCP) the ability to settle transactions in debt securities listed on the New York Stock Exchange, Inc. (NYSE) and AMEX. In anticipation of Phase II of NSCC's operations as contemplated by the Order of the Securities and Exchange Commission granting registration to NSCC as a clearing agency (Securities Exchange Act of 1934, Release No. 16163) NSCC has developed a data processing capability to permit such transactions to be included in such interfaces. This data processing capability will work most efficiently if it operates in connection with a single NSCC division rather than

two or three NSCC divisions. As a consequence, NSCC proposes that this data processing capability accept transactions in debt securities for such interfaces from the SCC Division. In order to permit the inclusion of debt securities listed from time to time on AMEX in such interfaces, NSCC proposes that all AMEX listed debt securities transactions to be settled through its SCC Division rather than through its ASECC Division.

BASIS UNDER THE ACT FOR THE PROPOSED RULE CHANGE

The proposed rule change relates to the removal of impediments to and perfection of the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions by permitting the expansion of the NSCC interfaces with MCC, PCC and SCCP.

Comments have neither been solicited nor received.

NSCC does not perceive that the proposed rule change would constitute a burden on competition.

Within 35 days of the date of publication of this notice in the FEDERAL REGISTER, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all writtten submissions will be available for inspection and copying in the Public Reference Room 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 30, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

FEBRUARY 28, 1977.

[FR Doc.77-6938 Filed 3-8-77;8:45 am]

[Released No. 19914; 70-5963]

SOUTHERN CO.

Order Authorizing Amendments of Certificate of Incorporation and Solicitation of Proxies

MARCH 2, 1977.

The Southern Company ("Southern"), Atlanta, Georgia, a registered holding company, has filed a declaration and an amendment thereto with this Commission pursuant to Sections 6(a), 7, and 12(e) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 62 promulgated thereunder regarding the following proposed transactions.

Southern's Certificate of Incorporation presently authorizes the issuance of 150,000,000 shares of common stock of which 122,806,633 shares are currently issued and outstanding. Southern proposes to amend its Certificate of Incorporation to increase the number of authorized shares of common stock from 150,000,000 shares to 185,000,000 shares to provide a reasonable amount of authorized but unissued shares of common stock to be used for financing additional common equity capital requirements of Southern's subsidiaries and for general corporate purposes, including investments by stockholders under the corporation's dividend reinvestment and stock purchase plan. It is stated that during the three-year period 1974 through 1976 Southern was required to issue and sell 41,557,133 shares of common stock in order to provide to its subsidiary companies the additional common equity portion of the capital needed to finance their construction programs required to service their rapidly developing business. Southern has no present plans for the issuance of any shares of its common stock other than for cash.

Southern also proposes to amend its Certificate of Incorporation so as to add to the exceptions from preemptive rights: (1) sales to security holders of the company or of any subsidiary pursuant to a divided reinvestment and/or stock purchase or similar plan and (2) stock sold to employees of the company or any subsidiary, or to a trust for their benefit, pursuant to a thrift, savings, employee stock ownership, pension, or other employee benefit plan. The purpose of this proposed amendment is to facilitate the sale by Southern of shares of its common stock pursuant to one or more of the types of plans referred to. By expanding the potential market for its shares, the corporation would thus be able to obtain necessary and desirable additional equity capital at prices related to current market values of shares of its common stock without payment of underwriting discounts or commissions. It is stated that this is in the best interests of the corporation and its stockholders.

Southern intends to submit the proposed amendments to its stockholders for consideration and vote at its 1977 annual meeting to be held on May 25, 1977. The favorable vote of a majority of the outstanding shares of common stock is necessary for the adoption of the amendments increasing the number of authorized shares. The adoption of the amendments relating to preemptive rights requires the favorable vote of at least two-quires the favorable vote of at least two-thirds of the outstanding shares of the common stock of the company. Southern proposes to solicit proxies from its common stockholders in connection with the proposed amendments.

The fees and expenses to be incurred in connection with the proposed transactions are estimated at $14,000, including a legal fee of $7,500. No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Due notice of the filing of said declaration has been given in the manner prescribed in Rule 23 promulgated under the Act (HCAR No. 19869), and no hearing has been requested of or ordered by the Commission. Upon the basis of the facts in the record, it is hereby found that the applicable standards of the Act and the rules thereunder are satisfied and that no adverse findings are necessary; and that it is appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective:

It is ordered, Pursuant to the applicable provisions of the Act and rules thereunder, That said declaration, as amended, be, and it hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rules 24 and 62 promulgated under the Act.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6936 Filed 3-8-77;8:45 am]

[File No. 500-1]

WESTERN GEOTHERMAL & POWER CORP.

Suspension of Trading

MARCH 1, 1977.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Western Geothermal and Power Corp. being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 9:45 a.m. (EST) on March 1, 1977 through March 10, 1977.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6937 Filed 3-8-77;8:45 am]

[Release No. 34-13316; File No. SR-CBOE-1977-2]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C 78s(b)(1) as amended by Pub. L.

No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 10, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

FEE REVISIONS

Pursuant to Rule 2.22 of the rules and regulations of the Chicago Board Options Exchange, Incorporated ("Exchange"), the Exchange has determined to revise certain of its existing charges and fees as more fully described below:

Description	Current rate	Proposed rate
Trade match fees	$0.005 per contract side	$0.01 per contract side, effective Apr. 1, 1977.
Badge fees	$75 per nonmember per year, $500 per non-member floor manager per year.	$150 per nonmember per year, $500 per non-member floor manager per year.

EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The new and revised fees and charges will permit the Exchange to establish equitable charges for services performed by the Exchange.

The Exchange believes that it is consistent with Section (6)(b)(4) for the Exchange to implement the new schedule of fees and charges set forth above, and that it has acted equitably to allocate the costs incurred in providing the particular service among those who benefit therefrom.

The Exchange has recognized in its increased trade match fees the additional costs incurred in extending such service to members, i.e., the clearing firms, on the Exchange floor. The fee has been revised to provide the necessary revenue to offset the costs thereof.

The revision in badge fees results from a reclassification of those persons engaged in Exchange floor duties for member firms who are the subject of the current fee structure. Previously, various categories of non-member individuals had been included in the "non-member floor manager" category in addition to floor managers. Steps have now been taken to preclude anyone other than a non-member floor manager from being placed in that category and being obligated to pay a $500 fee. One of the primary reasons for strictly limiting the scope of said category is to relieve various members of the burdensome $500 fee obligation previously imposed upon them. In order to compensate for the decrease in revenue from the reduction in the number of persons required to pay the $500 fee, and in view of the increase in the number of persons now encompassed by the broad based "non-member" category, the Exchange deemed it necessary to increase the current annual fee of $75 applied to the category "non-member" to $150 annually. Such an adjustment was necessary in order to allocate expenses in a more judicious manner.

Comments were not and are not intended to be solicited with respect to the proposed rule change.

The Exchange believes that no burden on competition will be imposed through the implementation of the fee schedule proposed above.

The foregoing rule change has become effective, pursuant to section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of inevstors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 30, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

MARCH 1, 1977.

[FR Doc. 77-6940 Filed 3-8-77;8:45 am]

[Release No. 34-13318;
File No. SR-NSCC-77-2]

NATIONAL SECURITIES CLEARING CORP.

Self-Regulatory Organizations; Proposed Rule Changes

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 22, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission proposed rule changes as follows:

TEXT OF PROPOSED RULE CHANGE

Rule 7, section 10 of the Rules of the SCC Division of NSCC is proposed to be amended to read as follows (Brackets indicate deletions and italics indicate new material):

(a) A Special Representative may submit, on any business day in accordance with the time schedules established or from time to time determined by the Corporation, [odd-lot] transaction data, which may reflect the netted results of other transactions, as to the rights and obligations of a [Clearing] Member which calls for the delivery of [Cleared Securities] *any security which the Corporation has stated is acceptable for purposes of this Rule,* and is between [Clearing] Members, notwithstanding the fact that the rights and obligations do not represent transactions compared under the foregoing sections of this Rule, provided, that the data submitted regarding the transaction meets the requirements specified in the Procedures. The obligations of the [Clearing] Member reflected in such [odd-lot] transaction data shall be deemed to have been confirmed and acknowledged by the [Clearing] Member designated by the Special Representative as a party thereto and to have been adopted by such [Clearing] Member and, for the purposes of these Rules and determining the rights and obligations between the Corporation and any such [Clearing] Member under these Rules, *any such Member which is not a Clearing Member shall be deemed to be a Clearing Member and such obligation* shall be valid and binding upon such [Clearing] Member to the same extent as any *such* transaction *compared under the foregoing sections of this Rule would be valid and binding on a Clearing Member,* and shall be deemed to be transactions[,] compared under this Rule. A [Clearing] Member which has been so designated by a Special Representative shall resolve any differences or claims regarding the rights and obligations reflected in the [odd-lot] transaction data submitted by the Special Representative with the Special Representative, and the Corporation shall have no responsibility in respect thereof or to adjust its records or the accounts of the [Clearing] Member in any way, otherwise than pursuant to the instructions of the Special Representative.

(b) A Special Representative may submit, on any business day in accordance with the time schedules established or from time to time determined by the Corporation, transaction data, which may reflect the netted results of other transactions, as to the rights and obligations of itself and another party which is not a Member (a "non-participant") which calls for the delivery of any security which the Corporation has stated is acceptable for the purposes of this Rule, notwithstanding the fact that the rights and obligations do not represent transactions compared under the foregoing sections of this Rule provided that the data submitted regarding the transaction meets the requirements specified in the Procedures and that the Special Representative designates a clearing agency (as defined in the Securities Exchange Act of 1934) which has been granted registration as a clearing agency under the Securities Exchange Act of 1934 (a "registered clearing agency") as responsible for the obligations of the non-participant. The obligations of the Special Representative and the non-participant reflected in such transaction data shall be deemed to have been compared and acknowledged by the Special Representative for the purposes of this Rule. In the event that the registered clearing agency does not accept responsibility for the obligations of the non-participant reflected in such transaction data, the Special Representatives shall be responsible therefor.

and the last paragraph of Rule 39 of the Rules of the SCC Division is proposed to be amended and read as follows:

Rule 39. The Corporation may accept or rely upon any instruction given to the Corporation by a [Clearing] Member including wire transmission, physical delivery or delivery by other means of instructions recorded on magnetic tape or other media or of facsimile copies of instructions, in form acceptable to the Corporation and in accordance with the Procedures, which reasonably is understood by the Corporation to have

been delivered to the Corporation by the [Clearing] Member, and the Corporation, shall have no responsibility or liability for any errors which may occur, without negligence on the Corporation's part, in the course of transmission or recording of any transmissions of which may exist in any magnetic tape, document or other media so delivered to the Corporation.

The Corporation may accept and rely upon any instruction given to the Corporation by a Special Representative, including wire transmission, physical delivery or delivery by other means of instructions, in form acceptable to the Corporation and in accordance with the Procedures, which reasonably is understood by the Corporation to have been delivered to the Corporation by the Special Representative [, provided that such instruction does not relate to the Comparison Operation], and the Corporation shall have no responsibility or liability for any errors which may occur, without negligence on the Corporation's part, in the course of transmission or recording of transmission or which may exist in any magnetic tape, document or other media so delivered to the Corporation and the Corporation shall be entitled to act pursuant to any such instruction as though such instruction had been received from the [Clearing] Member for which the Special Representative is acting.

Any [Clearing] Member delivering instructions as provided above, or on whose behalf a Special Representative shall deliver instructions as provided above, shall indemnify the Corporation, and any of its employees, officers, directors, shareholders, agents, Settling Members and Non-Members who may sustain any loss, liability or expense as a result of (a) any act done in reliance upon the authenticity of any instruction received by the Corporation, (b) the inaccuracy of the information contained therein or (c) effecting transactions in reliance upon such information or instruction against any such loss, liability or expense so long as such transactions are effected in accordance with such information and instructions even though they may be inaccurate or not authentic and so long as the person asserting a right to indemnification shall not have knowledge of such inaccuracy or lack of authenticity at the time of the event or events giving rise to such loss, liability or expense.

Notwithstanding the foregoing, the Corporation will not act upon any instruction purporting to have been given by a [Clearing] Member or a Special Representative which is received by wire transmission or in the form of facsimile copies or magnetic tape or media other than written instructions or from a Special Representative commencing one business day after the Corporation receives written notice from the [Clearing] Member that the Corporation shall not accept such instructions until such time as the [Clearing] Member shall withdraw such notice.

For the purposes of these Rules a Special Representative shall be [(i) Carlisle, de Coppet & Co., so long as it shall be a Clearing Member, but only to the extent that firm, or one or more of its partners, acts as an odd-lot dealer or broker and (ii) any Clearing] *either* a Member *or a registered clearing agency* [, but only to the extent that it, or one or more of its partners or officers, acts as an odd-lot dealer or broker] which [Clearing Member] applies to the Corporation for such status and designates those Members and non-participants for which it will act, provided, however, that the Corporation will not act upon any instruction received from a Special Representative which applies pursuant to this [clause (ii)] paragraph *until* (i) 10 business days after written notice of its designation as such is delivered by the Corporation to Settling Members and Non-Members and the Members and non-participants for which the Special Representative proposes to act which notice shall be delivered by the Corporation promptly after its receipt of such application *or* (ii) *each Member and non-participant for which the Special Representative proposes to act has consented there-to in writing delivered to the Corporation.*

The proposed rule change expands the class of persons which may become a Special Representative to include any registered clearing agency and any Member of the SCC Division ("Member" being defined in Rule 1 of the SCC Division Rules to encompass Clearing Members, Affiliate Members and Associate Members).

In addition, the proposed rule change amends section 10 of Rule 7 to permit a Special Representative to submit transaction data in respect of transactions other than odd-lot transactions under two separate arrangements i.e. when the Special Representative acts for a Member and when the Special Representative acts for a person other than a Member (a non-participant).

Special Representative Acting for a Member

Proposed section 10(a) of Rule 7 permits a Special Representative for a Member to submit trade data for both sides of a transaction between two Members and thereby bind both Members in the same manner as two Clearing Members are bound when a compared trade is confined by them. Any objection by either Member, which is a party to a trade, to the submission by the Special Representative is a matter to be resolved between the Member and the Special Representative.

(N.B. that under Rule 39, as proposed to be amended, any Member can, within a 10 day period after notice that a Special Representative proposes to act for it in this manner, deny such proposal and thereby avoid the assumption of liabilities which would arise under this Rule.)

For example, The Depository Trust Company (DTC) might as to transactions confirmed by a broker and its customer in DTC's ID System submit both sides of the transaction to the SCC Division for settlement in the SCC Division CNS System whereupon the selling side (e.g. the customer) would have a CNS obligation to deliver to the SCC Division and the buying side (the broker) would have a CNS obligation to receive from the SCC Division. This would involve non-Clearing Member Customers of Clearing Members in CNS transactions and provide the netting benefits of the CNS System to such non-Clearing Members.

As an additional example, a Member which sold securities for another Member (its correspondent) might enter the sell side of its transaction in the normal SCC Division Comparison Operation thereby incurring, after comparison, a CNS obligation to deliver and, acting as Special Representative for the correspondent, submit transaction data showing the Member as the buyer and the correspondent as the seller. As a consequence, the Member would net out in the CNS System (its sell side netting against its buy side) and the correspondent would generate a CNS obligation to deliver. In other words the correspondent's obligation would be substituted for that of the Member.

Special Representative Acting for a Non-Participant

Proposed section 10(b) of Rule 7 would permit a Special Representative for a non-participant to submit trade data for both sides of a transaction between the special Representative and the non-participant where the non-participant is a participant in a registered clearing agency having a RIO interface with the SCC Division. This would permit a Member which executed, e.g., a sell transaction for a non-participant, which is a participant in Pacific Clearing Corporation (PCC), to submit the sell side for comparison thereby generating a CNS deliver obligation for itself and, acting as Special Representative for the non-participant, to submit transaction data showing the Special Representative as the buyer and PCC, on behalf of the non-participant, as the seller. The CNS obligation would, if acceptable to PCC, be assumed by PCC and transferred to the non-participant in the normal RIO interface. The Special Representative would net out in the CNS System so that PCC would, as to the SCC Division CNS System, be substituted for the Special Representative. If PCC rejected the transaction, which it is entitled to do under the Clearing Facility RIO Agreement, the Special Representative would be obligated and would, presumably, resolve the matter with the non-participant.

The proposed rule change relates to the prompt and accurate clearance and settlement of securities transactions; fostering cooperation and coordination with persons engaged in the clearance and settlement of securities transactions; and the removal of impediments to and perfection of the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions in that it makes the CNS System available to persons other than Clearing Members, permits broker to customer and customer side transactions to be included in the CNS System and facilitates and permits the expansion of the existing interfaces.

Comments have neither been received nor solicited.

NSCC does not perceive any burden on competition.

On or before April 13, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization.

All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 30, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

MARCH 1, 1977.

[FR Doc.77-6942 Filed 3-8-77;8:45 am]

[Release No. 34—13319; File No. SR-NYSE-77-6]

NEW YORK STOCK EXCHANGE, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29 (June 4, 1975), notice is hereby given that on February 24, 1977, the above-mentioned self-regulatory organization filed with tse Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The Exchange's Board of Directors has endorsed a system of competing specialists on the Floor of the Exchange, and the proposed Procedures for Competing Specialists summarize the qualifications required to become an Exchange specialist and the procedures which will apply regarding applications to compete. The text of the proposed procedures is attached as Exhibit I.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

PURPOSE OF THE PROPOSED RULE CHANGE

On May 13, 1976, the Exchange's Board of Directors endorsed a system of competition between Exchange specialists by reaffirming the ability of Exchange members to register and act as specialists in stocks which are also assigned to other specialists. The proposed "Procedures for Competing Specialists" are designed to provide Exchange members with a clear statement of the qualifications required to become a specialist and the procedures to be followed. They are also designed to guide the Exchange's Market Performance Committee in its consideration and approval of applications to compete.

Procedures numbered 1, 2, 8 and 9 are "housekeeping" in nature and merely establish the manner in which applications to compete will be received and processed. They do not constitute any substantive statement of rule or policy. Similarly, procedure number 10 is designed to clarify the Exchange's surveillance efforts with regard to any competitive situation and to advise members of reporting requirements which will normally be imposed.

Procedures numbered 3, 4 and 5 serve to summarize existing Exchange requirements for registration as a specialist. Procedure number 3 clarifies the uniform application of the specialist capital requirement currently contained in Exchange Rule 104.20 to all existing or newly created specialist organizations. Procedure number 4 states, in part, that all specialist organizations, existing and newly created alike, must satisfy Exchange Rule 114 which requires any specialist organization to have a minimum of three active members registered and functioning as regular specialists. Procedure number 5 states that no member may act as a specialist unless registered as a specialist with the Exchange; and that before registration as a specialist, a member is required to pass a Specialist's Examination prescribed by the Exchange. These requirements are set forth in Exchange Rules 103 and 103.10, respectively. Procedures 3, 4 and 5 as described above do not constitute any change in the established interpretations and applications of Exchange Rules 103, 103.10, 104.20 and 114. They are designed merely to summarize and clarify, for the benefit of members, the requirements for registration as a specialist.

Procedure number 4, in part, also serves to remind members that competing specialists are required to fulfill the responsibilities of a specialist that are set forth in Exchange Rule 104.10 regarding the maintenance of fair and orderly markets. In this regard, procedure 4 also provides that any specialist organization which applies to compete with another organization must have manpower which will enable it to fulfill its specialist responsibilities in all registered stocks. Absence, on the part of an applicant, of manpower which would enable the applicant under normally expected circumstances to maintain continuous fair and orderly markets in all registered stocks would be viewed as a failure to qualify to act as competing specialist. This procedure is designed to insure the quality and continuity of Exchange markets by requiring that commitment of capital by a competing specialist as required by Exchange rule is accompanied by a corresponding commitment of manpower.

Procedure number 11 provides an appropriate method for specialist organizations to withdraw from competitive situations. The procedure is designed to allow members to withdraw from competition with relative ease without unduly prejudicing their future ability to compete; and, at the same time, to enable the Exchange to insure the stability and continuity of its marketplace. Members may withdraw from competition without restriction so long as they provide the Exchange's Market Performance Committee with at least one month's notice prior to the desired effective date of withdrawal. The Market Performance Committee will approve withdrawals as soon as possible within the one-month period as soon as necessary arrangements are made to avoid interruptions in the quality and continuity in the markets of the stocks involved. Specialist organizations which withdraw from a competitive situation may apply to compete in other stocks without restriction but they will normally be barred from applying to re-enter into competition in the same stocks for a period of six months following withdrawal. In the case of extenuating circumstances, the Market Performance Committee may waive this six-month restriction at the time of withdrawal where imposition of the restriction would be inappropriate and would work to weaken rather than strengthen Exchange markets.

Procedures numbered 6, 7 and 12 provide for fair proceedings. Procedure 6 allows an applicant to request an appearance before the Market Performance Committee if desired. Procedure 7 reaffirms the Market Performance Committee's obligation to approve applications to compete unless it can show lack of qualifications. Procedure 12 reminds members that decisions of the Market Performance Committee are reviewed by the Exchange's Quality of markets Committee, and that Article III, Section 1 of the Exchange Constitution provides for a member to appeal to the Board of Directors any decision of the Market Performance Committee.

BASIS UNDER THE ACT FOR PROPOSED RULE CHANGE

The proposed "Procedures for Competing Specialists" are designed to facilitate and enable the implementation of a system of competing specialists; and they are, therefore, based on Section 11(b) of the Securities Exchange Act of 1934 which provides for exchange rules to permit members to be registered as specialists; and section 11A(a)(1)(C) which states the Congress finds that it in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure fair competition among brokers and dealers among exchange markets. The proposed rule change relates to Item 4(a)(v)(D) of Form 19b-4A in that it is designed to facilitate entry into and participation in a free and open market. It does not relate to the remaining Items set forth in section 4(a) of Form 19b-4A.

COMMENTS RECEIVED FROM MEMBERS, PARTICIPANTS OR OTHERS ON PROPOSED RULE CHANGE

The Exchange has not solicited comment on the proposed "Procedures for Competing Specialists" nor have any written comments been received.

BURDEN ON COMPETITION

The proposed "Procedures for Competing Specialists" were developed to

facilitate the implementation of a system of competing specialists on the Exchange Floor, thus they do not impose any burden on competition but rather provide for increased competition.

On or before April 13, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 30, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority

GEORGE A. FITZSIMMONS
Secretary.

MARCH 1, 1977.

EXHIBIT I.—TEXT OF PROPOSED RULE CHANGE

NEW YORK STOCK EXCHANGE, INC.—PROCEDURES FOR COMPETING SPECIALISTS

1. Applications to compete must be by letter directed to the Market Performance Committee and must list the stock(s) in which the applicant intends to compete.

2. Upon receipt of a written application to the Market Performance Committee, the Exchange will post a notice of such application for membership comment.

3. All applicants must satisfy the Exchange's capital requirement for specialists as set forth in Rule 104.20. The total position requirements for an existing specialist organization applicant shall be increased to include the position requirement(s) of the additional stock(s) in which the organization applies to compete. A newly created specialist organization must establish that it can meet the minimum capital requirement of $500,000 or 25 percent of the position requirement(s) of the stock(s) in which it applies to compete, whichever is greater.

4. Newly created specialist organization applicants must satisfy Exchange Rule 114 which requires a specialist organization to have a minimum of three active members registered and functioning as regular specialists. In addition, all applicant organizations, existing or newly created, must have manpower which will enable them to fulfill the functions of a specialist as set forth in Exchange Rule 104.10 in all of the stocks in which the applicant will be registered.

5. All applicants must be registered with the Exchange as specialists. Exchange Rule 103.10 provides that before registration as specialist, a member is required to pass a Specialist's Examination prescribed by the Exchange.

6. Consideration will be given to any applicant's request to appear before the Market Performance Committee during its deliberation.

7. The Market Performance Committee will grant approval of applications to compete unless lack of qualifications are shown.

8. Upon approval of an application to compete, an effective date will be established and all members and member organizations will be notified to enable them to address their orders to the desired specialist organization.

9. Every effort will be made to provide adequate Floor space to each new competitor within a reasonable period of time.

10. Any new competitive situation will be reviewed by the Exchange for a period of six months, and reports of specialists' dealings (Forms 81) will be required on a daily basis for the first four weeks and on an as needed basis for the remainder of the six-month review period .

11. Any specialist organization which desires to voluntarily withdraw its registration in one or more stocks involved in a competitive situation, should so notify the Market Performance Committee at least one month prior to the desired effective date of such withdrawal. The Market Performance Committee will approve such requests within the one-month period as soon as the necessary arrangements are made to insure no interruptions in the quality and continuity of the market in such stocks. Any specialist organization which withdraws its registration in a stock will be barred from applying to compete in that same stock for a period of six months following the effective date of withdrawal unless such restriction is waived by the Market Performance Committee at the time of withdrawal.

12. Any decision of the Market Performance Committee with regard to the above items is subject to the review of the Quality of Markets Committee and may be appealed to the Exchange Board of Directors under the provisions of Article III, section 1 of the Exchange Constitution.

[FR Doc.77-6943 Filed 3-8-77;8:45 am]

[Release No. 34-13304; File No. SR-PSE-77-5]

PACIFIC STOCK EXCHANGE INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) (the "Act"), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 24, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE BY THE PACIFIC STOCK EXCHANGE INCORPORATED

The proposed rule amends Rule II of the Pacific Stock Exchange Incorporated ("Exchange") to provide for the trading of securities on an alternate specialist basis. The proposed rule change provides for the appointment of alternate specialist and primary specialists with respect to securities traded on a competing specialist basis. The proposed amendment specifies the market making responsibilities of alternate specialists and authorizes the primary specialists to call upon alternate specialists to make bids and/or offers to contribute to maintaining a fair and orderly market.

EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The proposed rule change is designed to facilitate the development of markets with greater depth and liquidity on the Exchange. It is believed that the proposed rule change will assist the Exchange in providing markets that are more competitive with markets available on other national security exchanges.

The proposed rule change, by facilitating the development of markets with greater depth and liquidity on the Exchange and by assisting in the establishment of markets on the Exchange that can be more competitive with markets available on other exchanges, contributes to the removal of impediments to and the perfection of the mechanism of a free and open market and a national market system, and further contributes to the protection of investors and of the public interest. As a result, the Exchange believes that section 6(b)(5) of the Act provides that statutory basis for the proposed rule change.

Comments were not solicited from members of the Exchange, and no comments were received.

The Exchange concludes that the proposed rule change would impose no burden on competition. Rather the Exchange believes that the proposal will enhance market-maker competition in the context of a developing national market system.

On or before April 13, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file referenced in the caption above and should be submitted on or before March 30, 1977.

For the Commission by the Division of Market Regulations, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

FEBRUARY 28, 1977.

[FR Doc.77-6339 Filed 3-8-77;8:45 am]

[Release No. 34-13320; File No. SR-PSE-77-7]

PACIFIC STOCK EXCHANGE INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. 94-29, 16 (June 4, 1975), notice is hereby given that on February 24, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

PSE's STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The proposed rule change consists of renumbering Rule VI, Section 60 of the Pacific Stock Exchange Incorporated ("Exchange") as Rule VI, section 60(a) and adding a section 60(b) thereto to read as follows:

POOLING OF FLOOR BROKERAGE

Sec. 60(b). No member organization having one or more floor brokers shall enter into any agreement, arrangement or understanding with another member organization having one or more floor brokers, whereby such member organizations are to handle floor brokerage for each other. This prohibition does not apply to the handling of floor brokerage by one such organization for another such organization on an occasional basis, nor to any arrangement that may be permitted by the Options Floor Trading Committee in writing, upon a showing of extraordinary circumstances.

COMMENTARY : .01

Section 60(b) is not intended to prevent two or more independent floor brokers from forming a member firm for joint handling of a floor brokerage business.

COMMENTARY: .02

Any member adversely affected by a determination of the Options Floor Trading Committee under this Section may obtain a review thereof in accordance with the provisions of Section 84 of this Rule.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The proposed rule change is designed to insure that sufficient floor brokers will be available to handle orders brought to the options/floor of the Exchange by any member organization.

The proposed rule change, by helping to provide that there will be suffcient floor brokers on the floor of the Exchange available to handle any order brought to such floor by any member organization of the Exchange, contributes to the protection of investors and of the public interest.

Comments regarding the proposed rule change have neither been solicited nor received from members of or participants in the Exchange.

The Exchange does not believe that the proposed rule change imposes any burden on competition, and it believes that if any such burden on competition is imposed, it is necessary in order to insure that there will be adequate floor brokerage capacity on the options floor of the Exchange, and thus it is necessary or appropriate in furtherance of the purposes of the Securities Exchange Act.

On or before April 13, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 30, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

MARCH 1, 1977.

[FR Doc.77-6944 Filed 3-8-77;8:45 am]

PACIFIC STOCK EXCHANGE INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) (the "Act"), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 24, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

TEXT OF THE PROPOSED RULE CHANGE SUBMITTED BY THE PACIFIC STOCK EXCHANGE INCORPORATED

The rule change proposed by the Pacific Stock Exchange Incorporated ("Exchange") consists of redesignating what is presently section 2 of Exchange Rule V as section 2(a), and adding section 2(b) which reads as follows:

COMPETING SPECIALISTS POST CAPITAL

Section 2(b). Unless a competing specialist is subject to the provisions of Section 2(a) above, the competing specialist registered with the Exchange shall at all times maintain a minimum of $10,000 in cash or marketable securities for each security in which such specialist is so registered up to $100,000, or an amount equal to 25 percent of the aggregate long and short market value of all securities with respect to which such competing specialist is registered, whichever is greater. Such competing specialist's capital shall be maintained on deposit with the Pacific Clearing Corporation, except that the Board of Governors may grant an exception to such requirements for good and sufficient reasons.

THE EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The proposed rule change is designed to facilitate participation in market-making activities, in the capacity of a competing specialist, by persons who are not presently specialists on the Exchange. It is thus believed that the proposed rule change will assist the Exchange in maintaining competitive markets of greater depth and liquidity.

The proposed rule change, by increasing the ability of the Exchange to maintain markets that are more competitive and have greater depth and liquidity, and by lowering capital barriers to entry into market making as competing specialists, contributes to the removal of impediments to and the perfection of the mechanism of a free and open market and a national market system, and further contributes to the protection of investors and of the public interest. Therefore, the Exchange believes that section 6(b)(5) of the Act provides the statutory basis for the proposed amendment.

Comments from members of the Exchange were neither solicited nor received.

The Exchange concludes that the proposed rule change imposes no burdens on competition, and, indeed, facilitates competition by lowering barriers to entry as a market maker on a competing specialist basis.

On or before April 13, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Ex-

change Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 30, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

MARCH 1, 1977.

[FR Doc.77-6941 Filed 3-8-77;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Application No. 03/03-5158]

LICO MESBIC INVESTMENT CO.

Application for License to Operate as Small Business Investment Company

An application for a license to operate as a small business investment company under section 301(d) of the Small Business Investment Act of 1958, as amended (Act) (15 U.S.C. 661 et seq.) has been filed by LICO MESBIC Investment Co. (applicant) with the Small Business Administration (SBA) pursuant to 13 CFR 107.102 (1976).

The officers, directors and stockholders are as follows:

Edward T. Liu, President, director and 15% Stockholder, 117 McTaggart Drive, Beckley, W. Va. 25801.
Kenneth L. Simpson, Vice President and director and General Manager, 121 Oakview Lane, Beckley, W. Va. 25801.
Karman L., Liu, Secretary, Treasurer, director and 15% Stockholder, 117 McTaggart Drive, Beckley, W. Va. 25801.
Raymond Co., 28% Stockholder (under trust of E. T. Liu), 102 Abbeywood Trail, Don Mills, Ontario, Canada.
Bonifacio Co., 9% Stockholder, 102 Abbeywood Trail, Don Mills, Ontario, Canada.
Liu Hun Kun, 9% Stockholder, 102 Abbeywood Trail, Don Mills, Ontario, Canada.
Evylene Co., 8% Stockholder, 102 Abbeywood Trail, Don Mills, Ontario, Canada.
Deborah Co., 8% Stockholder, 102 Abbeywood Trail, Don Mills, Ontario, Canada.
Frida Co., 8% Stock holder, 102 Abbeywood Trail, Don Mills, Ontario, Canada.

This applicant, a West Virginia Corporation, provisionally located at 129 Main Street, Beckley, W. Va. 25801 (Law offices of Thornhill, Kennedy & Vaughan), will begin operations with $500,000 of paid-in capital and paid-in surplus derived from the sale of 5,000 shares of common stock to the eight individuals above named as stockholders.

The applicant will not concentrate its investments in any particular industry. As a small business investment company under section 301(d) of the Act, the Applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Act, as amended, from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the Application include the general business reputation and character of the proposed owners and management and the probability of successful operations of the Applicant under this management, including adequate profitability and financial soundness, in accordance with the Act of SBA Rules and Regulations.

Any person may, not later than March 24, 1977, submit to SBA written comments on the proposed Applicant. Any such communication should be addressed to Deputy Associate Administrator for Investment, 1441 L Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Beckley, W. Va.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: March 3, 1977.

PETER F. MCNEISH,
Deputy Associate Administrator for Investment.

[FR Doc.77-6952 Filed 3-8-77;8:45 am]

[Declaration of Disaster Loan Area No. 1298]

ARKANSAS

Declaration of Disaster Loan Area

Baxter, Benton, Boone, Cleburne, Marion, Van Buren and adjacent counties within the State of Arkansas constitute a disaster area because of physical damage caused by a combined result of drought conditions and severe winter weather from September 1, 1976 through February 9, 1977. Eligible persons, firms and organizations may file applications for loans for physical damage as a result of drought until the close of business on May 2, 1977 and for economic injury until the close of business on December 5, 1977 at:

Small Business Administration, District Office, 611 Gaines Street, Suite 900, Little Rock, Arkansas 72201.

or other locally announced locations.

Dated: March 3, 1977.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.77-7019 Filed 3-8-77;8:45 am]

NASHVILLE DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Nashville District Advisory Council will hold a public meeting at 9 a.m. to 12 noon, Wednesday, April 20, 1977, in the Fireside Room at the Fairfield Glade Resort, near Crossville, Tennessee, to discuss such business as may be presented by members, staff of the Small Business Administration, or others present. For further information write or call W. J. Shaver, District Director, U.S. Small Business Administration, 1012 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee 37219, (615) 852-5850.

Dated: March 3, 1977.

ANTHONY S. STASIO,
Acting Assistant Administrator for Advocacy and Public Communications.

[FR Doc.77-7018 Filed 3-8-77;8:45 am]

NATIONAL STUDY COMMISSION ON RECORDS AND DOCUMENTS OF FEDERAL OFFICIALS

MEETING

Pursuant to Subsection 10(a) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the National Study Commission on Records and Documents of Federal Officials will meet on March 24, 1977 beginning at 9:30 a.m. in Room 1105 of the Department of State.

Purpose: The Commission was established under Title II of the Presidential Recordings and Materials Preservation Act (Pub. L. 93-526; 88 Stat. 1698; 44 U.S.C. 3315 et seq.) to study problems involving the control, disposition, and preservation of records and documents produced by or on behalf of Federal officials.

Agenda: The purpose of the meeting is to review and discuss the final report of the Commission.

The meeting will be open to the public. Individuals are welcome to attend to the extent of available space.

Dated: March 7, 1977.

HERBERT BROWNELL,
Chairman.

[FR Doc.77-7194 Filed 3-8-77;11:00 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 341]

ASSIGNMENT OF HEARINGS

MARCH 4, 1977.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 119974 (Sub-No. 61), L.C.L. Transit Company, now assigned April 18, 1977, at Chicago, Ill., is postponed indefinitely.

MC 138741 (Sub 26), American Central Transport, Inc., now being assigned April 18, 1977 (1 day), at Chicago, Illinois, in Room 286, 219 South Dearborn Street, Everett McKinley Dirksen Building.

MC 106674 (Sub 210), Schilli Motor Lines, Inc., now being assigned April 19, 1977 (1 day), at Chicago, Illinois; in Room 204–A, 219 South Dearborn Street, Everett McKinley Dirksen Building.

MC 142336 (Sub 1), D. Terry Chamness, d.b.a. Terry's Road Truck and Wrecker Service, now being assigned April 20, 1977 (3 days), at Chicago, Illinois, in Room 286, 219 South Dearborn Street, Everett McKinley Dirksen Building.

MC 142495, Terbax Corporation, now being assigned May 18, 1977, at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 142083, Specialty Carrier, Inc., now being assigned May 5, 1977, at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 141550 Sub 2, Hoppy Lines, Inc., now being assigned May 5, 1977, at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 113495 Sub 78, Gregory Heavy Haulers, Inc., now being assigned June 13, 1977, at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 31023 Sub 4, Moon Carrier and MC 117940 Sub 200, Nationwide Carriers, Inc., now being assigned May 4, 1977 (3 days), at New York, New York, in a hearing room to be later designated.

MC 135009 (Sub-No. 2), Peak Transfer Co., Inc., now assigned May 3, 1977, at Chicago, Ill., is canceled and reassigned for May 3, 1977, at New York, N.Y. (1 day), location of hearing room will be by subsequent notice.

ROBERT L. OSWALD,
Secretary.

[FR Doc.77-7031 Filed 3-8-77;8:45 am]

[No. 36497; Service Date Mar. 4, 1977]

ILLINOIS CENTRAL GULF RAILROAD

Petition for a Declaratory Order-Switching Charges at St. Louis

Upon consideration of the record in the above-entitled proceeding including the petition of the Illinois Central Gulf Railroad Company filed December 15, 1976, for issuance of a declaratory order and the petition in support thereof and for leave to intervene filed January 9, 1977, by the Continental Grain Company;

It appearing, that a question has arisen as to the applicability of switching charges with respect to the shipment of grain and/or seeds from origins in Illinois and Iowa on the Burlington Northern, Inc., to East St. Louis, Ill., for reshipment beyond by the Illinois Central Gulf Railroad with ultimate destinations in Southern Freight Association Territory;

It further appearing, that court action has been filed in The Circuit Court of Cook County, Ill., for the collection of said switching charges alleged to have accrued to the Burlington Northern, Inc., which proceeding has been stayed pending issuance of a declaratory order by this Commission;

And it further appearing, that the Continental Grain Company petitioned for leave to intervene in support of petitioner, and stated that its intervention will not unduly broaden the issues herein;

Wherefore, and for good cause:

It is ordered, That pursuant to section 5(e) of the Administrative Procedure Act, 5 U.S.C. 554(e), and in the exercise of the Commission's sound discretion thereunder, this petition for a declaratory order be, and it is hereby, granted and docketed as set forth above;

It is further ordered, That this proceeding be, and it is hereby, instituted to determine the applicability of switching charges assessed but not collected.

It is further ordered, That this matter appears susceptible of handling under the modified procedure, pursuant to Rules 45 to 54 of the Commission's general rules of practice, 49 CFR 1100.45–54, the filing and service of pleadings to be as follows: (a) Opening statement of facts and argument by petitioner and any parties supporting petitioner on or before 20 days from the date of service of this order; (b) 30 days after that date, statement of facts and argument by any party in opposition; and (c) 20 days thereafter, replies by petitioner and any supporting parties;

It is further ordered, That the Continental Grain Company be, and it is hereby, granted leave to intervene and fully participate herein;

And it is further ordered, That a copy of this order be served upon petitioner, the Burlington Northern, Inc., and Continental Grain Company, that a copy be deposited in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and that a copy of this order be given to the public by delivery thereof to the Director, Office of the Federal Register for Publication therein.

Dated at Washington, D.C., this 28th day of February, 1977.

By the Commission, Commissioner Hardin.

ROBERT L. OSWALD,
Secretary.

[FR Doc.77-7032 Filed 3-8-77;8:45 am]

federal register

WEDNESDAY, MARCH 9, 1977

PART II

FEDERAL ELECTION COMMISSION

■

GOVERNMENT IN THE SUNSHINE

Final Implementation Regulations

Title 11—Federal Elections

CHAPTER I—FEDERAL ELECTION COMMISSION

[Notice 1977-12]

PART 2—SCOPE AND DEFINITIONS

PART 3—MEETINGS

Government in the Sunshine

ACTION: Final regulation.

SUMMARY: This notice contains the final regulation implementing the Government in the Sunshine Act, Pub. L. 94-409, as required by section 3(a) of the Act.

EFFECTIVE DATE: March 13, 1977.

FOR FURTHER INFORMATION CONTACT:

Daniel J. Swillinger, Assistant General Counsel (202) 382-4055.

SUPPLEMENTARY INFORMATION: The proposed regulation was published on January 19, 1977 at 42 FR 3810 for a 30-day comment period. Comments were received and incorporated into the final regulation. The final regulation was adopted by the Commission on March 2, 1977.

Dated: March 3, 1977.

VERNON W. THOMSON,
Chairman for the
Federal Election Commission.

Part 2 is added to Title 11 CFR as follows:

Sec.
2.1 Scope.
2.2 Commission.
2.3 Commissioner or member.
2.4 Person.
2.5 Meeting.

AUTHORITY: Sec. 3(a), Pub. L. 94-409.

§ 2.1 Scope.

These regulations are promulgated pursuant to the directive of 5 U.S.C. 552b(g) which was added by section 3(a) of Pub. L. 94-409, the Government in the Sunshine Act and specifically implement subsections (b) through (f) of that Act.

§ 2.2 Commission.

"Commission" means the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463.

§ 2.3 Commissioner or member.

"Commissioner" or "member" means an individual appointed to the Federal Election Commission pursuant to 2 U.S.C. 437(a) and 101(e) of Pub. L. 94-283 and shall also include ex-officio non-voting Commissioners or members, the Secretary of the Senate and the Clerk of the House, but does not include a proxy or other designated representative of a Commissioner.

§ 2.4 Person.

"Person" includes an individual, partnership, corporation, association, or public or private organization, other than an agency of the United States Government.

§ 2.5 Meeting.

"Meeting" means the deliberation, including those conducted through conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, of at least four voting members of the Commission in collegia where such deliberations determine or result in the point conduct or disposition of official Commission business, but does not include deliberations to schedule a meeting, to take action to open or close a meeting, or to release or withhold information, or to change the subject matter of a meeting under §§ 3.2 and 3.3 of this chapter.

Part 3 of Title 11, CFR is added as follows:

Sec.
3.1 General rules.
3.2 Exempted meetings.
3.3 Procedure for closing meetings.
3.4 Transcripts, recordings and minutes.
3.5 Announcement of meetings and schedule changes.
3.6 Annual report.

AUTHORITY: Sec. 3(a), Pub. L. 94-409.

§ 3.1 General rules.

(a) Commissioners shall not jointly conduct, determine or dispose of Commission business other than in accordance with this part.

(b) Except as provided in § 3.2, every portion of every Commission meeting shall be open to public observation.

§ 3.2 Exempted meetings.

(a)(1) As required by 2 U.S.C. 437g (a)(3)(B), all Commission meetings, or parts of meetings, pertaining to the notification or investigation of a complaint that the Act has been violated, shall be closed to the public, and the requirements of §§ 3.3 and 3.5 shall not apply.

(2) For the purposes of this section, "notification or investigation of a complaint" means, inter alia, determinations pursuant to 2 U.S.C. 437g(a), the issuance of subpoenas, discussion of civil actions or proceedings, formal agency adjudication pursuant to section 5 of the Administrative Procedure Act, discussion of referrals to the Department of Justice, or any other matter related to the Commission's enforcement activity.

(b) The requirement of open meetings shall not apply where the Commission finds, (1) pursuant to § 3.3, that an open meeting is more likely than not to result in the disclosure of:

(i) Matters that relate solely to the Commission's internal personnel decisions, rules and practices, except that exemption does not extend to Commission discussions regarding employees' dealings with the public, such as personnel manuals or Commission directives setting forth job functions or procedures;

(ii) Matters which involve the consideration of a proceeding of a formal nature by the Commission against a specific person or the formal censure of any person;

(iii) Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(iv) Financial information obtained from any person and which is privileged or confidential;

(v) Information the premature disclosure of which would be likely to have a considerable adverse effect on the implementation of a proposed Commission action as long as the Commission has not already disclosed the content on nature of its proposed action, or is not required by law to disclose it prior to final action; and

(2) The public interest does not require the meeting to be open.

§ 3.3 Procedure for closing meetings.

(a) No meeting or portion of a meeting may be closed pursuant to § 3.2(b) to public observation unless a majority of the Commissioners (not including the ex-officio non-voting Commissioners) vote to take such action.

(b) A Commission vote to close a meeting shall be taken upon the motion of any member, other than the ex-officio non-voting members. A single vote may be taken with respect to a series of meetings, all or a portion or portions of which are proposed to be closed to the public, or with respect to any information concerning such series of meetings, so long as each meeting in such series involves the same particular matters and is scheduled to be held no more than 30 days after the initial meeting in such series.

(c) Although no meeting need be held to consider closing a meeting each vote taken pursuant to paragraph (b) of this section shall be recorded by the Secretary to the Commission. No proxies, written or otherwise, shall be counted.

(d) (1) If the Commission votes to close a meeting, or any portion or portions thereof, to the public, then within 24 hours it shall make publicly available a written statement with respect to such vote. The written statement shall contain:

(i) A citation to the section of these regulations pursuant to which the meeting was closed to public observation together with an explanation as to why the specific discussion comes within the cited exemption;

(ii) The vote of each Commissioner on the motion to close the meeting;

(iii) A list of the names of all persons expected to attend the closed meeting and their affiliations. For purposes of this subdivision (iii) affiliation means title or position, and employer and, in the case of a representative, the name of the person represented, and

(iv) Shall be signed by the Commissioner who presided at the meeting where the vote to close the meeting was taken.

(2) The original copy of the statement shall be maintained in the Commission's Public Records Office.

(e) Each time that the Commission votes, pursuant to paragraph (b) of this section, to close a meeting, the General Counsel shall publicly certify before the

meeting may be closed that, in his or her opinion, the meeting may properly be closed to public observation. The certification shall state each relevant exemptive provision. The original copy of such certification shall be attached to, and preserved with, the statement required by paragraph (d) of this section.

§ 3.4 Transcripts, recordings and minutes.

(a) The Secretary to the Commission shall maintain a complete transcript or electronic recording adequate to record fully the proceedings of each meeting, or portion of a meeting, closed to public observation. An electronic recording of a meeting shall be coded, or other records shall be kept, in a manner adequate to identify each speaker.

(b) In the case of a meeting, or portion of a meeting, closed to public observation because it concerns matters set out in paragraph (a) of § 3.2, the Commission may, in lieu of a complete transcript or electronic recording, maintain a set of minutes. Such minutes shall fully and clearly describe all matters discussed and shall provide a full and accurate summary of any actions taken and the reasons therefor, including a description of each of the views expressed at the meeting on any item by any person attending and shall reflect the vote of each member on any document considered in connection with any action taken at the meeting.

(c) The Commission shall, within a reasonable time not to exceed 30 days, place on file in the Public Records Office of the Commission, a copy of the transcript, recording, or minutes, as appropriate, which reflects matters discussed or information developed, at the meeting which were not within the scope of the exemption provision of § 3.2 pursuant to which the meeting was closed.

(d) A complete verbatim copy of the transcript, a complete copy of the minutes, or a complete electronic recording of each meeting, or portion of meeting, closed to the public, shall be maintained by the Secretary to the Commission in the confidential files of the Commission, for a period of two years subsequent to such meeting, or until one year after the conclusion of any agency proceeding with respect to which the meeting, or portion of the meeting was held, whichever occurs later.

§ 3.5 Announcement of meetings and schedule changes.

(a) In the case of each meeting, the Commission shall publicly announce and shall submit such announcement for publication in the FEDERAL REGISTER at least seven days prior to the day on which the meeting is to be called to order. Such announcement must contain: (1) The date of the meeting; (2) the place of the meeting; (3) the subject matter of the meeting; (4) whether the meeting is to be open or closed to the public; and (5) the name and telephone number of the official designated by the agency to respond to requests for information about the meeting.

(b) The public announcement and submission for publication required by paragraph (a) of this section shall be made in the case of every meeting to be held by the Commission unless a majority of the Commissioners decide by recorded vote that the situation requires that a particular meeting be called at an earlier date, in which case the Commission shall make, at the earliest practicable time, the public announcement required by paragraph (a) of this section and a concurrent submission to the FEDERAL REGISTER.

(c) The time or place of a meeting may be changed following the public announcement required by paragraphs (a) and (b) of this section only if the Commission publicly announces such change at the earliest practicable time.

(d) The subject matter of a meeting, or the determination of the Commission to open or close a meeting, or portion of a meeting, to the public, may be changed following the public announcement required by paragraphs (a) and (b) of this section only if:

(1) A majority of the entire membership of the Commission determines by a recorded vote that Commission business so requires and that no earlier announcement of the change was possible, and (2) the Commission publicly announces, and concurrently submits for publication in the FEDERAL REGISTER, the change and the vote of each member upon such change at the earliest practicable time.

§ 3.6 Annual report.

The Commission shall report annually to Congress regarding its compliance with such requirements including:

(a) A tabulation of the total number of Commission meetings open to the public; (b) the total number of such meetings closed to the public; (c) the reasons for closing such meetings; and (d) a description of any litigation brought against the Commission under the Act, including any costs assessed against the Commission in such litigation (whether or not paid by the Commission).

[FR Doc.77-6947 Filed 3-8-77;8:45 am]

federal register

WEDNESDAY, MARCH 9, 1977

PART III

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

■

COMMUNITY BLOCK GRANT PROGRAM

Environmental Review Procedures

Title 24—Housing and Urban Development

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Doc. No. R-77-297]

PART 58—ENVIRONMENTAL REVIEW PROCEDURES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Applicants Lacking Legal Capacity; Interim Rule

On January 7, 1975 the Department of Housing and Urban Development (HUD) amended Title 24 of the Code of Federal Regulations by adding a new Part 58 to Subtitle A, published at 40 FR 1392. On July 16, 1975, corrections and amendments to Part 58 were published at 40 FR 29992 and on June 30, 1976 at 41 FR 26856 a further amendment, regarding the computation of time periods, was published.

Part 58 sets forth procedures governing the carrying out of the environmental review responsibilities by Community Development Block Grant (CDBG) applicants which would otherwise be the responsibility of the Secretary of HUD, under the National Environmental Policy Act of 1969 (NEPA). It is the policy of HUD, pursuant to section 104(h) of Title I of the Housing and Community Development Act of 1974, to require CDBG applicants to assume and carry out such responsibilities, unless the applicant lacks legal capacity to do so. If an applicant lacks such legal capacity, these environmental responsibilities remain the responsibility of HUD. In such cases, the applicant is required by regulation to prepare, circulate and receive comments on a proposed Draft Environmental Impact Statement (EIS), prior to submitting its CDBG application. The regulations provide for HUD to review the proposed Draft EIS and prepare and issue the Final EIS.

It has been determined by HUD, in consultation with CEQ, that the foregoing procedure respecting applicants which lack the legal capacity should be modified to eliminate the applicant's responsibility for a proposed Draft EIS. HUD will perform all the environmental review responsibilities in such cases in accordance with HUD Handbook 1390.1, the Handbook of Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality (38 FR 19182, as amended). Accordingly, both the procedures set forth at Part 58 and those contained in HUD Handbook 1390.1 are being amended to reflect these determinations. Conforming amendments to the CDBG regulations, 24 CFR Part 570, are also being promulgated to reflect this revised procedure.

The approvals of the applications of several CDBG applicants lacking legal capacity are dependent on the implementation of this amendment because of the existing procedure. This amendment does not diminish any responsibilities under NEPA, and is necessary to assure the proper carrying out of those responsibilities. For these reasons, the Secretary has determined that public comment prior to the adoption of this amendment would be impracticable and contrary to the public interest and that good cause exists for making this amendment effective as an interim rule. However, the Department invites interested persons to submit data and comments with respect to this amendment, and all relevant materials received on or before April 11, 1977, will be considered before a final rule is adopted. All submittals should refer to Docket No. R-77-297, and should be filed with the Rules Docket Clerk, Room 10141, Office of the Secretary, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Section 104(h) of the Housing and Community Development Act of 1974 requires that this regulation may be issued only after consultation with the Council on Environmental Quality. Such consultation has been accomplished. Also, a Finding of Inapplicability with respect to any environmental impact of this regulation has been made in accordance with HUD Handbook 1390.1 (38 FR 19182). A copy of that finding and of all comments received respecting this regulation will be available for public inspection during business hours in the Office of the Rules Docket Clerk at the address indicated above.

NOTE.—It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular No. A-107.

Accordingly, Title 24, Part 58 is amended by deleting § 58.5(b)(1), renumbering § 58.5(b)(2) to become § 58.5(b)(3); and inserting the following § 58.5(b) (1) and (2).

§ 58.5 General policy.

* * * * *

(b) *Exception.* (1) Each applicant shall, prior to submitting an application, review its legal capacity to assume and carry out the environmental responsibilities hereunder. If an applicant believes it may lack legal capacity to assume and carry out environmental review responsibilities hereunder, then it shall submit to the HUD official authorized to receive the application the legal opinion of its attorney in support of such claim and shall consult with said HUD official in order to obtain appropriate instructions. Such claim shall be made prior to submitting an entitlement or discretionary application. Discretionary applicants shall submit such claim to HUD with the preapplication, if a preapplication is required. HUD will review such claim and approve or disapprove it.

(2) If an applicant's claim of lack of legal capacity has been approved by HUD, then HUD will complete an environmental assessment, including an EIS if appropriate, pursuant to HUD Handbook 1390.1, as amended, before the application is approved, or in those cases where a preapplication is required, before the applicant is invited to submit a full application.

* * * * *

(Sec. 7(d), Department of HUD Act. (42 U.S.C. 3535(d).)

Effective date. This amendment shall be effective on March 8, 1977.

PATRICIA ROBERTS HARRIS,
Secretary of Housing and Urban Development.

[FR Doc.77-7028 Filed 3-8-77;8:45 am]

CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Doc. No. R-77-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Applications and Criteria for Discretionary Grants; Interim Rule

This interim rule amends § 570.402, published on October 18, 1976, at 41 FR 45966. Section 570.603 of Title 24 CFR requires that Community Development Block Grant recipients comply with 24 CFR Part 58, which sets forth procedures governing the assumption and carrying out of environmental review responsibilities by Community Development Block Grant (CDBG) applicants, which would otherwise be the responsibility of the Secretary of HUD under the National Environmental Policy Act of 1969 (NEPA). If a CDBG applicant lacks legal capacity to assume and carry out such delegated responsibilities, then HUD retains the responsibilities and carries them out. In such cases, the applicant has been required by 24 CFR 58.5 to prepare, circulate and receive comments on a proposed Draft Environmental Impact Statement (EIS), prior to submitting its CDBG application. The regulations provide for HUD to review the proposed Draft EIS and prepare and issue the Final EIS.

It has been determined by HUD, in consultation with the Council on Environmental Quality (CEQ), that the foregoing procedure, as it applies to applicants which HUD determines lack legal capacity to assume and carry out environmental review responsibilities, should be modified to provide that HUD will perform the environmental review responsibilities prior to approval of such application, or in those cases where a preapplication is required, before the applicant is invited to submit a full application. Accordingly, Part 570 is being amended to provide specific reference to the revised procedure, which requires completion of an environmental assessment for those applicants found by HUD to lack legal capacity before the applicant is invited to submit a full application. The procedures set forth at Part 58, and those contained in HUD Handbook 1390.1, are also being amended.

Section 570.402 sets forth requirements for submission and review of preapplications and applications for general purpose funds for metropolitan and non-

metropolitan areas. Paragraph (d) of § 570.402 provides that HUD will invite full applications based upon numerical ratings of preapplications. This revision establishes a new § 570.402(d)(1)(vi) involving applicants that lack legal capacity to perform environmental reviews. If a preapplication from such applicant rates highly enough for the recipient to be invited to submit a full application, HUD will complete the environmental assessment prior to issuing the invitation to submit a full application. If the preapplication involves more than one activity, the invitation to submit a full application may be issued in stages as the respective environmental assessments are completed.

The approvals of the applications of several CDBG applicants lacking legal capacity are dependent on the implementation of this amendment because of the existing procedure. This amendment does not diminish any responsibilities under NEPA, and is necessary to assure the proper carrying out of those responsibilities. For these reasons, the Secretary has determined that public comment prior to the adoption of this amendment on an interim basis would be impracticable and contrary to the public interest and that good cause exists for making this amendment effective upon publication. However, the Department invites interested persons to submit data and comments with respect to this amendment, and all relevant materials received on or before April 11, 1977, will be considered before a final rule is adopted. All submittals should refer to Docket No. and should be filed with the Rules Docket Clerk, Room 10141, Office of the Secretary, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

Also, a Finding of Inapplicability with respect to any environmental impact of this regulation has been made in accordance with HUD Handbook 1390.1 (38 FR 19182). A copy of that finding and of all comments received will be available for public inspection during business hours in the Office of the Rules Docket Clerk at the address indicated above.

NOTE.—It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular No. A-107.

Accordingly, Title 24, Part 570 is amended by adding a paragraph to § 570.402(d)(1) as follows:

§ 570.402 General purpose funds for metropolitan and nonmetropolitan areas.

* * * * *

(d) * * *

(1) * * *

(vi) With respect to an applicant for which HUD has approved a claim of legal incapacity pursuant to 24 CFR 58.5(b), HUD will advise the applicant of the ranking and status of the preapplication. A full application shall not be invited, however, unless HUD has completed an environmental assessment, including an environmental impact statement if appropriate, on the proposed activities, pursuant to HUD Handbook 1390.1, as amended.

(Sec. 7(d), Department of HUD Act (42 U.S.C. 3535(d)).)

Effective date. This amendment shall be effective on March 8, 1977.

JOHN TUITE,
Acting Deputy Assistant Secretary for Community Planning and Development.

[FR Doc.77-7027 Filed 3-8-77;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Doc. No. N-77-182]

POLICIES, RESPONSIBILITIES AND PROCEDURES FOR PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY

Amendments to Departmental Handbook

HUD Handbook 1390.1 (38 FR 19132) sets forth the policies, responsibilities and procedures for HUD's compliance with the National Environmental Policy Act of 1969 (NEPA). Section 104(h) of the Housing and Community Development Act of 1974 authorizes HUD to provide for the assumption by applicants for assistance under Title I of that statute (the Community Development Block Grant (CDBG) Program) of environmental review responsibilities under NEPA. Section 104(h) has been implemented by regulations set forth at 24 CFR Part 58. If an applicant for assistance under Title I lacks legal capacity to assume and carry out such responsibilities, then HUD retains these responsibilities, and carriers them out in accordance with its own procedures under HUD Handbook 1390.1. HUD is hereby amending Handbook 1390.1 with an interim rule to add an appropriate provision for the CDBG Program concerning the environmental review of applications submitted by applicants that lack legal capacity to assume these environmental responsibilities. HUD is also amending 24 CFR Part 58 and 24 CFR Part 570 to conform to the procedures herein being adopted.

The amendments to HUD Handbook 1390.1 are as follows:

(1) Appendix A-1 is being amended to specify the decision point and threshold criteria for environmental reviews performed by HUD under the CDBG Program, where an applicant thereunder lacks such legal capacity.

(2) A footnote, following the Threshold Table in Appendix A-1, is being added to cross-reference these procedures with those contained at 24 CFR Part 58.

Under these amendments to HUD Handbook 1390.1, HUD will conduct the environmental review and will not approve the application, or in those cases where a preapplication is required, will not invite the submission of a full application, unless the process required by Handbook 1390.1 is completed.

This amendment does not diminish the applicable responsibilities under NEPA and is necessary to expedite the proper carrying out of those responsibilities. For these reasons, the Secretary has determined that comment prior to the adoption of the amendment on an interim basis would be impracticable, unnecessary and contrary to the public interest and that good cause exists for making this amendment effective immediately. However, the Department invites interested persons to submit data and comments with respect to this amendment and all material received on or before April 17, 1977, will be considered. All material should refer to Docket No. N-77-182, and should be filed with the Rules Docket Clerk, Room 10141, Office of the Secretary, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410.

Also, a Finding of Inapplicability for any environmental impact of this notice has been made in accordance with HUD Handbook 1390.1 (38 FR 19182). A copy of that finding and of all comments received respecting this will be available for public inspection during business hours in the Office of the Rules Docket Clerk, at the address indicated above.

NOTES It is hereby certified that the economic and inflationary impacts of this Notice have been carefully evaluated in accordance with OMB Circular No. A-107.

(1) Threshold Table at Appendix A-1 of HUD Handbook 1390.1 (38 FR 19182) is amended by adding thereto, under the appropriate column headings thereof, as indicated in parentheses, the following:

(Program): "Community Development Block Grant Program under Title I of the Housing and Community Development Act of 1974, where HUD has approved an applicant's claim of lack of legal capacity to assume environmental responsibilities.[10]"

(Decision Point): "Approval of application or amendment required to be submitted to HUD for approval); or in those cases where a preapplication is required, the invitation to submit a full application."

(Threshold): "All new Community Development Block Grant Programs applications and all second and succeeding year applications containing any new or changed program activity not covered in a previous environmental review."

(2) A footnote following the Threshold Table at Appendix A-1 is added, as follows:

[10] Under the CDBG Program, the applicant assumes the environmental review responsibilities otherwise applicable to HUD and carries them out in accordance with 24 CFR Part 58, unless the applicant's claim of legal incapacity to do so has been approved by HUD."

(Sec. 7(d), Department of HUD Act (42 U.S.C. 3535(d)).

Effective date. These Notice amendments shall be effective on March 8, 1977.

Issued at Washington, D.C., on March 2, 1977.

PATRICIA ROBERTS HARRIS,
Secretary of Housing and Urban Development.

[FR Doc.77-7029 Filed 3-8-77;8:45 am]

federal register

WEDNESDAY, MARCH 9, 1977

PART IV

DEPARTMENT OF STATE

■

FISHERY CONSERVATION AND MANAGEMENT

Applications for Permits To Fish; Spain, Germany, France, Ireland and Italy

DEPARTMENT OF STATE

[Public Notice 527]

FISHERY CONSERVATION AND MANAGEMENT

Applications for Permits to Fish Off Coasts of United States

The Fishery Conservation and Management Act of 1976 (Pub. L. 94-265) (the "Act") provides that no fishing shall be conducted by foreign fishing vessels in the Fishery Conservation Zone of the United States after February 28, 1977, except in accordance with a valid and applicable permit issued pursuant to section 204 of the Act.

The Act also requires that all applications for such permits be published in the FEDERAL REGISTER.

Applications for fishing beginning March 1, 1977, have been received from the Government of Spain, and are published herewith.

Dated: March 2, 1977.

ALBERT L. ZUCCA,
Director, Office of Fisheries Affairs.

THE UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

APPLICATION FOR VESSEL PERMITS TO FISH WITHIN THE FISHEPY CONSERVATION ZONE OF THE UNITED STATES, OR FOR ANADROMOUS SPECIES OR CONTINENTAL SHELF FISHERY RESOURCES

DATE _____

SP-77-0001 to
APPLICATION NO. 0063
for use of issuing Officer

In accordance with the provision of Section 204 of the Fishery Conservation and Management Act of 1976, (16 U.S.C. 1801-1882), and the governing international fisheries agreement entered into with the Government of the United States of America, which entered into force on _____,
date

the government (or competent authority) of Spain

hereby submits this application for permits for fishing vessels under its jurisdiction to fish within the fishery conservation zone of the United States, or beyond that zone for anadromous species or Continental Shelf fishery resources subject to the jurisdiction of the United States.

The following information is submitted in support of this application (Use additional sheets as required).

A completed Fishing Vessel Identification Form for each permit that is requested; and a compilation of data contained in questions 5 and 20 in the attached Fishing Vessel Identification Form.

Submitted 21 Feb 1977
Date

Signature of Authorized Official

- JOSE LUIS TATO -

Title

Ocean Area	Name of Vessel	Typ of Vessel	Period (from-to)	Species	Contemplated catch (MT)	Gear to be Used
2. FISHING GULF SOUTH 35° N	VILLA DE LAREDO	STN-Otorm Trawler	1/1--31/12/77	Squid, Other		Otter trawls
4. FISHING GULF SOUTH 35° N	BOUTA	STN-Otorm Trawler	1/1--31/12/77	Squid, Other		Otter trawls
3. FISHING GULF SOUTH 35° N	LAIE DOS FIGOS	STN-Otorm Trawler	1/1--31/12/77	Squid, Other		Otter trawls

Gp. 1

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

Permit Period Applied For: 1977 — Application No. For Use of Issuing Office: 3P-77-0001

State: SPAIN

1. Name of Vessel: LAIE DOS FIGOS
2. Vessel No.: Hull No. VI-5 Registration No. 9561
3. Name and Address of Owner / Name and Address of Charterer
   Name: ANTONIO VAQUEIRO HERMELO
   Address: Apdo.1061-Vigo
   Cable Address:
4. Homeport and State of Registry: TENERIFE
5. Type of Vessel: O T B
6. Tonnage (Gross) 369,5 (Net) 184,26
7. Length 38,5 M. B. Breadth 8,5 M. D. Draft 3,25 M.
10. Horsepower 1000 shp. 11. Maximum Speed 10 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( );
    Other
13. Date Built
14. Number and Nationality of Personnel 21 - españoles
    Officers 2 Crew 19 Other (Specify)
15. Communications: VHF-FM ( ), AM/SSB, Voice ( ), Telegraphy ( ).
    Other
    International Radio Call Sign E I S R
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

3P-77-0001

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
    Decca ( ), Navsat ( ), Radar (2), Fathometer (2),
    Other
17. Cargo Capacity (MT) / 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	360	Tanks	
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
    12 tns. for day
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW Atlantic	1/1/77 al 31/12/77	Squid Loligo Illex Other		Otter trawl.

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office: 3P-77-0002

State: SPAIN

1. Name of Vessel: BOUTA
2. Vessel No.: Hull No. VI-5 Registration No. 9559
3. Name and Address of Owner / Name and Address of Charterer
   Name: ARPAPESCA, S.A.
   Address:
   Cable Address:
4. Homeport and State of Registry: VIGO
5. Type of Vessel: OTB
6. Tonnage (Gross) 257,1 (Net) 107,25
7. Length 35,4 M. B. Breadth 8,0 M. D. Draft 3,80 M.
10. Horsepower 1.000 shp. 11. Maximum Speed 12 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other
13. Date Built 1.975
14. Number and Nationality of Personnel
    Officers 3 Crew 17 Other (Specify)
15. Communications: VHF-FM ( ), AM/SSB, Voice ( ), Telegraphy ( ).
    Other
    International Radio Call Sign E.O.Z.O.
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0002

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (2), Fathometer (2),
Other _____

17. Cargo Capacity (MT)

Salted Fish	_____
Fresh Fish	210 m³
Frozen Fish	65 m³
Fish Meal	_____
Other	_____

18. Cargo Space

Number	Name
	Freezer
	Dry Hold
	Tanks
	Other

19. Processing Equipment (indicate daily capacity,MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW Atlantic	1/1/77	Squid		Otter trawl
	al	Loligo		
	31/12/77	Illex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0003

Permit Period Applied For: 1977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel VILLA DE MARIN

2. Vessel No.: Hull No. VI-5 Registration No. 9507

3. Name and Address of Owner: Name: MANUEL BORGES GONZALEZ; Address: Calvo Sotelo, 70; (Marin); Cable Address: _____
Name and Address of Charterer: _____

4. Homeport and State of Registry: MARIN

5. Type of Vessel O.T.B

6. Tonnage (Gross) 314.1 (Net) 151,20

7. Length 38.4 m. 8. Breadth 8.5 m. 9. Draft 3.50 m.

10. Horsepower 1.000 shp. 11. Maximum Speed 12 kt.

12. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other _____

13. Date Built 1975

14. Number and Nationality of Personnel 20 - españoles
Officers 4 Crew 16 Other (Specify) _____

15. Communications: VHF-FM ( ), AM/SSB, Voice ( ), Telegraphy ( ),
Other _____
International Radio Call Sign EGSM
Radio Frequencies Monitored _____
Other Working Frequencies _____
Schedule _____

SP-77-0003

16. Navigation Equipment: Loran C (X), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar ( ), Fathometer (X),
Other _____

17. Cargo Capacity (MT)

Salted Fish	_____
Fresh Fish	_____
Frozen Fish	300
Fish Meal	_____
Other	_____

18. Cargo Space

Number	Name
	Freezer
	Dry Hold
	Tanks
	Other

19. Processing Equipment (indicate daily capacity,MT)
10

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-1-77	Squid		Otter Trawl
	al	Loligo		
	31-12-77	Illex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

Ocean Area	Name of Vessel	Type of Vessel	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5 and 6	AYDA	075-Stern Trawler	1/1--31/12/77	Loligo	450	Otter trawl
ICNAF 5 and 6	ALAGE	075-Stern Trawler	1/1--31/12/77	Loligo	440	Otter trawl
ICNAF 5 and 6	ARGENTINA	075-Stern Trawler	1/1--31/12/77	Loligo	355	Otter trawl
ICNAF 5 and 6	ANDARA	075-Stern Trawler	1/1--31/12/77	Loligo	350	Otter trawl
ICNAF 5 and 6	ARA CAVA	075-Stern Trawler	1/1--31/12/77	Loligo	345	Otter trawl
ICNAF 5 and 6	MIRTAF	075-Stern Trawler	1/1--31/12/77	Loligo	180	Otter trawl
ICNAF 5 and 6	CORBANIA II	075-Stern Trawler	1/1--31/12/77	Loligo	220	Otter trawl
ICNAF 5 and 6	TELDO	075-Stern Trawler	1/1--31/12/77	Loligo	410	Otter trawl
ICNAF 5 and 6	VIGALLA	075-Stern Trawler	1/1--31/12/77	Loligo	370	Otter trawl
ICNAF 5 and 6	PUERTO MARINA	075-Stern Trawler	1/1--31/12/77	Loligo	330	Otter trawl
ICNAF 5 and 6	PESCAPUESTA I	075-Stern Trawler	1/1--31/12/77	Loligo	350	Otter trawl
ICNAF 5 and 6	PESCAPUESTA III	075-Stern Trawler	1/1--31/12/77	Loligo	440	Otter trawl
ICNAF 5 and 6	PLAYA DE BOGUE	075-Stern Trawler	1/1--31/12/77	Loligo	370	Otter trawl
ICNAF 5 and 6	KETTURAH	075-Stern Trawler	1/1--31/12/77	Loligo	410	Otter trawl
ICNAF 5 and 6	MARINA	075-Stern Trawler	1/1--31/12/77	Loligo	360	Other trawl
ICNAF 5 and 6	NORTE MIÑO	075-Stern Trawler	1/1--31/12/77	Loligo	390	Other trawl

Ocean Area	Name of Vessel	Type of Vessel	Period (from - to)	Species	Contemplated Catch (mt)	Gear to be Used
ICNAF 5 and 6	CAVIDA DO IGUEDE	OTB-Otter Trawler	1/8-31/3/77	Loligo	200	Otter trawl
ICNAF 5 and 6	CARVIDA UNO	OTB-Otter Trawler	1/8-31/3/77	Loligo	110	Otter trawl
ICNAF 5 and 6	RAVIA CAVIDA	OTB-Otter Trawler	1/8-31/3/77	Loligo	600	Otter trawl
ICNAF 5 and 6	RIBAS DE CARIDE	OTB-Otter Trawler	1/8-31/3/77	Loligo	150	Otter trawl
ICNAF 5 and 6	MEIG DO MAR	OTB-Otter Trawler	1/8-31/3/77	Loligo	165	Otter trawl

Gp 2

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0004

Permit Period Applied For: 1977

Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel CARVIDA UNO
2. Vessel No.: Hull No. GC-1 Registration No. _____
3. Name and Address of Owner / Name and Address of Charterer

Name CARVIDA, S.A.

Address GARCIA BARBON, 121

VIGO

Cable Address _____

4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 280,4 (Net) 264,33
7. Length 29,2 M. 8. Breadth 7,5 M. 9. Draft 3,71 M.
10. Horsepower 625 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),

Other _____

13. Date Built 1.975
14. Number and Nationality of Personnel 15 spanish

Officers 4 Crew 11 Other (Specify) _____

15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( )

Other _____

International Radio Call Sign E.C.P.Z

Radio Frequencies Monitored _____

Other Working Frequencies _____

Schedule _____

SP-77-0004

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),

Decca ( ), Navaid ( ), Radar XX), Fathometer (X),

Other _____

17. Cargo Capacity (MT)

Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	180	Tanks	133 m^3
Fish Meal	_____	Other	
Other	_____		

18. Cargo Space Number Name

19. Processing Equipment (Indicate daily capacity,MT)

5 Tne for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	(1-Jan-77) 31-3-77	squid		
ICNAF	5 and 6	Loligo / Ilex / Other	110	Otter trawl

21. Name and Address of Agent appointed to receivh any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0005

Permit Period Applied For: 1,977

Application No. For Use of Issuing Office

State: SPAIN

4. Name of Vessel PEIXE DO MAR
2. Vessel No.: Hull No. VI - 5 Registration No. 9.258
3. Name and Address of Owner / Name and Address of Charterer

Name PEIXE DO MAR, S.A.

Address ALAMEDA SUAREZ LLANOS, 11

VIGO

Cable Address _____

4. Homeport and State of Registry: HUELVA
5. Type of Vessel O.T.B
6. Tonnage (Gross) 148,4 (Net) 68
7. Length 27,8 M. 8. Breadth 6,4 M. 9. Draft 3,6 M.
10. Horsepower 435 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),

Other _____

13. Date Built 1971
14. Number and Nationality of Personnel 14 spanish

Officers 3 Crew 11 Other (Specify) _____

15. Communications: VHF-FM XX), AM/SSB, Voice ( ), Telegraph ( ),

Other _____

International Radio Call Sign E.F.E.Y

Radio Frequencies Monitored _____

Other Working Frequencies _____

Schedule _____

SP-77-0005

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navaid ( ), Radar (X), Fathometer (X), Other

17. Cargo Capacity (MT) | 18. Cargo Space Number | Name

Salted Fish		Freezer
Fresh Fish		Dry Hold
Frozen Fish	63	Tanks
Fish Meal		Other
Other		

19. Processing Equipment (Indicate daily capacity,MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77 31-3-77	squid		
ICNAF	5 and 6	Loligo	180	Otter trawl
		Illex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0006

Permit Period Applied For: 1.977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel RIBERA DE ORBIGO
2. Vessel No.: Hull No. VI-5 Registration No. 5261
3. Name and Address of Owner | Name and Address of Charterer

Name PESQUERA DE RERGANTIÑOS,S.A.
Address Concepcion Arenal, 2
LA CORUÑA
Cable Address

4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 246,4 (Net) 86
7. Length 15,3 M. 8. Breadth 6,6 M. 9. Draft 1,60 M.
10. Horsepower 400 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built: 1.961
14. Number and Nationality of Personnel 15 spanish
Officers 3 Crew 12 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
International Radio Call Sign: E.D.J.U
Radio Frequencies Monitored
Other Working Frequencies
Schedule

SP-77-0006

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navaid ( ), Radar (X), Fathometer (X), Other

17. Cargo Capacity (MT) | 18. Cargo Space Number | Name

Salted Fish		Freezer
Fresh Fish		Dry Hold
Frozen Fish	80	Tanks 110 m^3
Fish Meal		Other
Other		

19. Processing Equipment (Indicate daily capacity,MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77 31-3-77	squid		
ICNAF	5 and 6	Loligo	150	Otter trawl
		Illex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0007

Permit Period Applied For: 1.977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel SANTA ELVIRA
2. Vessel No.: Hull No. CO-9 Registration No. 2.353
3. Name and Address of Owner | Name and Address of Charterer

Name PESGA
Address GENERAL PARDIÑAS, 92
MADRID - 6
Cable Address

4. Homeport and State of Registry: LA CORUÑA
5. Type of Vessel O.T.B
6. Tonnage (Gross) 1300 (Net) 568
7. Length 71,7 M. 8. Breadth 10,6 M. 9. Draft 5,24 M.
10. Horsepower 1200 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.954
14. Number and Nationality of Personnel 59 spanish
Officers 7 Crew 52 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
International Radio Call Sign E.A.R.R
Radio Frequencies Monitored
Other Working Frequencies
Schedule

SP-77-0007

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish	670	Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	676	Tanks	
Fish Meal		Other	410 m³
Other			

19. Processing Equipment (Indicate daily capacity, MT)

15 Tns for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77 31-3-77	squid		
ICNAF	5 and 6	Loligo	400	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0008

Permit Period Applied For: 1,977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel CAMPA DE TORRES
2. Vessel No.: Hull No. GC-1 — Registration No. 2.854
3. Name and Address of Owner — Name and Address of Charterer
   Name COPEMAR, S.A.
   Address APARTADO, 448
   VIGO
   Cable Address
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 454,5 (Net)
7. Length 47,2 M. 8. Breadth 9,5 M. 9. Draft 4,9 M.
10. Horsepower 1600 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.974
14. Number and Nationality of Personnel 25 spanish
    Officers 5 Crew 20 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
    International Radio Call Sign E.G.M.G
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0008

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca (X), Navsat ( ), Radar (X), Fathometer (X), Other

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	520	Tanks	253 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity, MT)

15 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77 31-3-77	squid		
ICNAF	5 and 6	Loligo	360	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0009

Permit Period Applied For: 1977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel AVIOR
2. Vessel No.: Hull No. CA-3 — Registration No. 964
3. Name and Address of Owner — Name and Address of Charterer
   Name U.A.P. INDUSTRIAL GALLEGA
   Address Avda. de las Camelias, 58, Vigo
   Cable Address RIVEIRIÑA
4. Homeport and State of Registry: Cadiz
5. Type of Vessel O.T.B
6. Tonnage (Gross) 765,4 (Net) 468,70
7. Length 53,8 M. 8. Breadth 9,3 M. 9. Draft 4,73 M.
10. Horsepower 1400 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1966
14. Number and Nationality of Personnel 33 spanishs
    Officers 5 Crew 28 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other
    International Radio Call Sign E.E.V.X
    Radio Frequencies Monitored 500 -2.182 - 156,8
    Other Working Frequencies
    Schedule

SP-77-0009

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (1), Fathometer (3),
Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	890	Tanks	257 m³
Fish Meal		Other	
Other			

19. Processing Equipment (indicate daily capacity,MT)
20 Tns. for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 / 31-3-77 5 and 6	squid. Loligo Ilex Other	450	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0010

Permit Period Applied For: 1977 Application No. For Use of Issuing Office
State: SPAIN

1. Name of Vessel ALANO
2. Vessel No.: Hull No. GI - 4 Registration No. 1729
3. Name and Address of Owner Name and Address of Charterer
Name S.A.P. INDUSTRIAL GALLEGA
Address Avda de Los Camelias 58, VIGO
Cable Address RIVEIRIÑA
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 667,3 (Net) 320
7. Length 53 M. 8. Breadth 9,5 M. 9. Draft 4 M.
10. Horsepower 1400 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other _____
13. Date Built 1967
14. Number and Nationality of Personnel 34 Spanish
Officers 5 Crew _____ Other (Specify) 29
15. Communications: VHF-FM ( ), AM/SSB, Voice ( ), Telegraph: X
Other _____
International Radio Call Sign E.F.N.E
Radio Frequencies Monitored 500- 2.182 - 156,8
Other Working Frequencies _____
Schedule _____

SP-77-0010

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (1), Fathometer (2),
Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	128	Tanks	253 m³
Fish Meal		Other	
Other			

19. Processing Equipment (indicate daily capacity,MT)
12 Tns. for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 / 31-3-77 5 and 6	squid. Loligo Ilex Other	440	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0011

Permit Period Applied For: 1977 Application No. For Use of Issuing Office
State: SPAIN

1. Name of Vessel ARMENTEIRA
2. Vessel No.: Hull No. CO - 2 Registration No. 3.612
3. Name and Address of Owner Name and Address of Charterer
Name CONSERVACION ALIMENTOS, S.A.
Address Apartado, 757 LA CORUÑA
Cable Address _____
4. Homeport and State of Registry: LA CORUÑA
5. Type of Vessel O.T.B
6. Tonnage (Gross) 262 (Net) 180
7. Length 38,1 M. 8. Breadth 8 M. 9. Draft 6 M.
10. Horsepower 1.170 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 15 spanish
Officers 5 Crew _____ Other (Specify) 10
15. Communications: VHF-FM (1), AM/SSB, Voice ( ), Telegraphy ( ),
Other _____
International Radio Call Sign E.G.U.N
Radio Frequencies Monitored _____
Other Working Frequencies _____
Schedule _____

SP-77-0011

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca (1), Navsat ( ), Radar (1), Fathometer (3), Other _____

17. Cargo Capacity (MT) — 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	300	Tanks	3 / 140 m
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

8 for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77	squid		Otter trawl
ICNAF	31-3-77	loligo	200	
	5 and 6	ilex		
		other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SA-77-0012

Permit Period Applied For: 1977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel ANGUKA
2. Vessel No.: Hull No. VI-5 Registration No. 8917
3. Name and Address of Owner: Name Jose Puerta Oviedo; Address Orillamar, 28 travesia - VIGO; Cable Address PESCAPUERTA — Name and Address of Charterer
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 284,4 (Net) 136
7. Length 37,3 M. 8. Breadth 7,4 M. 9. Draft 3,90 M.
10. Horsepower 800 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.969
14. Number and Nationality of Personnel 12: Officers 2 Crew 10 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ), Other _____
International Radio Call Sign E.D.B.Y
Radio Frequencies Monitored _____
Other Working Frequencies _____
Schedule _____

SP-77-0012

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (1), Fathometer (3), Other _____

17. Cargo Capacity (MT) — 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	125	Tanks	3 / 125 m
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

12 Tns for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77	squid		
I.C.N.A.F	31-3-77	loligo	200	Otter Trawl
	5 and 6	ilex		
		other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0013

Permit Period Applied For: 1977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel ANNA COVA
2. Vessel No.: Hull No. VI-5 Registration No. 9.267
3. Name and Address of Owner: Name JESUS VAQUEIRO GANDON; Address Apartdo, 1.081 VIGO; Cable Address _____ — Name and Address of Charterer
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 307,1 (Net) _____
7. Length 36,5 M. 8. Breadth 8,5 M. 9. Draft 3,5 M.
10. Horsepower 800 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1972
14. Number and Nationality of Personnel 16: Officers 3 Crew 13 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy (X), Other _____
International Radio Call Sign E.G.B.P
Radio Frequencies Monitored 500 - 2.182 - 156,8
Other Working Frequencies _____
Schedule _____

SP-77-0013

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (2), Fathometer (2), Other

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	300	Tanks	195 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
10 Tms for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC I.C.N.A.F	1-3-77 31-3-77 5 and 6	squid, loligo, ilex, other	240	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0014

Permit Period Applied For: 1977
Application No. For Use of Issuing Office
State: SPAIN

1. Name of Vessel NEUTAN
2. Vessel No./ Hull No. GI-4 Registration No. 1.969
3. Name and Address of Owner: Name Marvalfer,S.A.; Address Vicente Gasco, 23, MADRID -29; Cable Address
   Name and Address of Charterer
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 285,4 (Net)
7. Length 37,1 M. 8. Breadth 8 M. 9. Draft 3,805 m.
10. Horsepower 1200 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1975
14. Number and Nationality of Personnel 21 spanish
    Officers 2 Crew 19 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
    International Radio Call Sign E.G.Y.S
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0014

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (2), Fathometer (2), Other

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish		Freezer	
Fresh Fish	210	Dry Hold	
Frozen Fish	53	Tanks	173 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
12 Tms for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 31-3-77 5 and 6	Ilex, squid, other	180	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0015

Permit Period Applied For: 1977
Application No. For Use of Issuing Office
State: SPAIN

1. Name of Vessel CONBAROYA II
2. Vessel No./ Hull No. VI - 5 Registration No. 9.306
3. Name and Address of Owner: Name ANTONIO GONZALEZ CONCHEIRO; Address San Francisco, 29, VIGO; Cable Address
   Name and Address of Charterer
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 319,2 (Net) 230,14
7. Length 38,1 M. 8. Breadth 8,5 M. 9. Draft M.
10. Horsepower 960 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.973
14. Number and Nationality of Personnel 20 spanish
    Officers 4 Crew 16 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other
    International Radio Call Sign E.G.O.M
    Radio Frequencies Monitored 500 - 2182 - 156,8
    Other Working Frequencies
    Schedule

SP-77-0015

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (2), Fathometer (2), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____
Fresh Fish	_____
Frozen Fish	330
Fish Meal	_____
Other	_____

18. Cargo Space

Number	Name
Freezer	
Dry Hold	
Tanks	3 300 m
Other	

19. Processing Equipment (Indicate daily capacity,MT)
12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77 31-3-77	Loligo Illex squid other	230	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0016

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel TORALLA
2. Vessel No.: Hull No. VI -5 Registration No. 9.315
3. Name and Address of Owner — Name: P. VASCO GALLEGA, S.A. — Address: ORILLAMAR, 97, VIGO — Cable Address: VASGA
   Name and Address of Charterer
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 415,7 (Net) 126
7. Length 45,4 M. 8. Breadth 9,5 M. 9. Draft 4,30 M.
10. Horsepower 1200 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1973
14. Number and Nationality of Personnel 25 spanish — Officers 4 Crew 21 Other (Specify) _____
15. Communications: VHF-FM (1), AM/SSB, Voice ( ), Telegraphy (X), Other _____ — International Radio Call Sign E.E.E.V — Radio Frequencies Monitored 500 - 2.182 - 156,8 — Other Working Frequencies _____ — Schedule _____

SP-77-0016

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca (1), Navsat ( ), Radar (1), Fathometer (1), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____
Fresh Fish	_____
Frozen Fish	480
Fish Meal	_____
Other	_____

18. Cargo Space

Number	Name
Freezer	
Dry Hold	
Tanks	228 m3
Other	

19. Processing Equipment (Indicate daily capacity,MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-3-77 31-3-77	squid Loligo Illex Other	370	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0017

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel TEUCRO
2. Vessel No.: Hull No. GI-4 Registration No. ~~1.976~~
3. Name and Address of Owner — Name: Garrido y Vidal armadores — Address: MARQUES DE VALTIERRA, 1 MARIN (PONTEVEDRA) — Cable Address: _____
   Name and Address of Charterer
4. Homeport and State of Registry: MARIN
5. Type of Vessel O.T.B
6. Tonnage (Gross) 489,7 (Net) _____
7. Length 44,7 M. 8. Breadth 9,3 M. 9. Draft 4,25 M.
10. Horsepower 1500 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1975
14. Number and Nationality of Personnel 23 spanish — Officers 2 Crew 21 Other (Specify) _____
15. Communications: VHF-FM (1), AM/SSB, Voice ( ), Telegraphy (X), Other _____ — International Radio Call Sign E.G.X.C — Radio Frequencies Monitored 500 - 2.182- 156,8 — Other Working Frequencies _____ — Schedule _____

SP-77-0017

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (2), Fathometer ( ), Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	415	Tanks	380 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-1-77 31-1-77 5 and 6	squid Loligo Illex Other	410	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0018

Permit Period Applied For: 1977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PUENTE PEDRIÑA
2. Vessel No.: Hull No. VI-5 Registration No. 8616
3. Name and Address of Owner: Name S.R.P. PAULINO PREIRE, S.A.; Address Avd.ORILLAMAR, s/n VIGO; Cable Address REPESPESCA. Name and Address of Charterer:
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 476,7 (Net) 184
7. Length 51,4 M. B. Breadth 8,3 M. B. Draft 4,1 M.
10. Horsepower 1.320 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.966
14. Number and Nationality of Personnel 24 spanish: Officers 6 Crew 18 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph: (X), Other _____; International Radio Call Sign E.E.B.Q; Radio Frequencies Monitored 500 - 2.182 - 156,8; Other Working Frequencies _____; Schedule _____

SP-77-0018

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (1), Fathometer (2), Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	465	Tanks	228 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT) 16 Ton for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-1-77 31-1-77 5 and 6	squid Loligo Illex Other	310	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0019

Permit Period Applied For: 1977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PESCAPUENTA PRIMERO
2. Vessel No.: Hull No. VI - 5 Registration No. 9.239
3. Name and Address of Owner: Name PESCAPUENTA, S.A.; Address ORILLAMAR, 28 Travesia, VIGO; Cable Address PESCAPUENTA. Name and Address of Charterer:
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 290,9 (Net) 133
7. Length 37,3 M. B. Breadth 7,4 M. B. Draft 3,90 M.
10. Horsepower 800 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.972
14. Number and Nationality of Personnel 20 spanish: Officers 4 Crew 16 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____; International Radio Call Sign E.G.A.X; Radio Frequencies Monitored _____; Other Working Frequencies _____; Schedule _____

SP-77-0019

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (1), Fathometer (1), Other _____

17. Cargo Capacity (MT)

Salted Fish	
Fresh Fish	
Frozen Fish	270
Fish Meal	
Other	

18. Cargo Space Number / Name

Freezer	
Dry Hold	
Tanks	133 m³
Other	

19. Processing Equipment (indicate daily capacity,MT)
6 Tons for da y

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 31-3-77 5 and 6	squid Loligo Illex Other	200	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0020

Permit Period Applied for: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PESCAPUENTA TERCERO
2. Vessel No.: Hull No. VI -5 Registration No. 9458
3. Name and Address of Owner: Name PESCAPUENTA, S.A. Address ORILLAMAR, 28 trovesia VIGO Cable Address PESCAPUENTA
   Name and Address of Charterer:
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 442,1 (Net)
7. Length 43,9 m. B. Breadth 9,5 m. D. Draft 4,256m.
10. Horsepower 1200 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 26 spanish
    Officers 4 Crew 22 Other (Specify) _____
15. Communications: VHF-FM (1), AM/SSB, Voice ( ), Telegraphy X), Other _____
    International Radio Call Sign E.G.A.B
    Radio Frequencies Monitored 500 - 2.182- 156,8
    Other Working Frequencies _____
    Schedule _____

SP-77-0020

16. Navigation Equipment: Loran C (2), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (2), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

Salted Fish	
Fresh Fish	
Frozen Fish	720
Fish Meal	
Other	

18. Cargo Space Number / Name

Freezer	
Dry Hold	
Tanks	208,43 m³
Other	

19. Processing Equipment (Indicate daily capacity,MT)
8 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 31-3-77 5 and 6	squid Loligo Illex other	440	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0021

Permit Period Applied for: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PLAYA DE BOGON
2. Vessel No.: Hull No. GI-4 Registration No. 1.93Y
3. Name and Address of Owner: Name PESQUERAS MARINENSES Address Avda. Ca lvo Sotelo 83, MARIN (PONTEVEDRA) Cable Address PESMAR
   Name and Address of Charterer:
4. Homeport and State of Registry: MARIN
5. Type of Vessel O.T.B
6. Tonnage (Gross) 493,1 (Net)
7. Length 44,5 m. B. Breadth 9,3 m. D. Draft 4,27 m.
10. Horsepower 1200 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 23
    Officers 4 Crew 19 Other (Specify) _____
15. Communications: VHF-FM X), AM/SSB, Voice ( ), Telegraphy (X), Other _____
    International Radio Call Sign _____
    Radio Frequencies Monitored 500 - 2.182 - 156,8
    Other Working Frequencies _____
    Schedule _____

SP-77-0021

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca (X), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT) | 18. Cargo Space Number | Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	460	Tanks	190 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
14 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 31-3-77 5 and 6	squid Loligo Ilex Other	370	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0022

Permit Period Applied For: 1.977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel XEOTISIÑO
2. Vessel No./ Hull No. VI-5 Registration No. 9.554
3. Name and Address of Owner: Name PESCANOA, S.A.; Address MIRURA, 35; VIGO; Cable Address _____ | Name and Address of Charterer
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 439,7 (Net) _____
7. Length 47,2 M. 8. Breadth 9,5 M. 9. Draft 6,50 M.
10. Horsepower 1.400 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.975
14. Number and Nationality of Personnel 27
Officers 2 Crew 25 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph: X ( ), Other _____
International Radio Call Sign E.O.S.V
Radio Frequencies Monitored 500 - 2.182 - 156,8
Other Working Frequencies _____
Schedule _____

SP-77-0022

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT) | 18. Cargo Space Number | Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	520	Tanks	253 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
15 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 31-3-77 5 and 6	squid Loligo Ilex Other	410	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0023

Permit Period Applied For: 1977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PUENTE MIÑOR
2. Vessel No./ Hull No. VI - 5 Registration No. 9.477
3. Name and Address of Owner: Name JOSE PEREIRA ALVARES; Address JOSE ANTONIO, 91; VIGO; Cable Address _____ | Name and Address of Charterer
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 314,1 (Net) 229,94
7. Length 39,4 M. 8. Breadth 8,5 M. 9. Draft 3,50 M.
10. Horsepower 1250 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 20 spanish
Officers 2 Crew 18 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph: ( ), Other _____
International Radio Call Sign _____
Radio Frequencies Monitored _____
Other Working Frequencies _____
Schedule _____

SP-77-0023

16. Navigation Equipment: Loran C (X), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT) — 18. Cargo Space Number — Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	390	Tanks	149 m^3
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

8 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 31-3-77	squid		
		Loligo	290	Otter trawl
		5 and 6 Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0024

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel MARBOA
2. Vessel No.: Hull No. VI -5 Registration No. 9.406
3. Name and Address of Owner — Name and Address of Charterer

Name JUAN MANUEL OYA PUIG

Address Avda. San Francisco 29 VIGO

Cable Address

4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 257,3 (Net) 185,60
7. Length 33,4 m. B. Breadth 8 M. D. Draft 3,96 M.
10. Horsepower 800 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel XX, Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 20 spanish

Officers 4 Crew 16 Other (Specify) _____

15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____

International Radio Call Sign E.G.J.A

Radio Frequencies Monitored _____

Other Working Frequencies _____

Schedule _____

SP-77-0024

16. Navigation Equipment: Loran C (X), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT) — 18. Cargo Space Number — Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	200	Tanks	
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

8 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-3-77 31-3-77	squid		
		Loligo	200	Otter trawl
		5 and 6 Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

Ocean Area	Name of Vessel	Type of Vessel	Period (from-to)	Species	* Contemplated catch (mt)	Gear to be Used
1/ ICNAF 5 and 6	PEDRA	OTB-Otorm Trawler	15/5--15/9/77	Illex	450	Otter trawl
2/ ICNAF 5 and 6	ARIANA	OTB-Otorm Trawler	15/5--15/9/77	Illex	330	Otter trawl
3/ ICNAF 5 and 6	EL GUERRERO	OTB-Otorm Trawler	15/5--15/9/77	Illex	200	Otter trawl
4/ ICNAF 5 and 6	ARETA	OTB-Otorm Trawler	15/5--15/9/77	Illex	210	Otter trawl
5/ ICNAF 5 and 6	VIRIANDA	OTB-Otorm Trawler	15/5--15/9/77	Illex	330	Otter trawl
6/ ICNAF 5 and 6	TIPO MARQUES	OTB-Otorm Trawler	15/5--15/9/77	Illex	380	Otter trawl
7/ ICNAF 5 and 6	CHICA DE MORAIMA	OTB-Otorm Trawler	15/5--15/9/77	Illex	600	Otter trawl
8/ ICNAF 5 and 6	MIRANDA	OTB-Otorm Trawler	15/5--15/9/77	Illex	600	Otter trawl
9/ ICNAF 5 and 6	LAKE DEL PINOS	OTB-Otorm Trawler	15/5--15/9/77	Illex	300	Otter trawl
10/ ICNAF 5 and 6	RAMONALLE I	OTB-Otorm Trawler	15/5--15/9/77	Illex	340	Otter trawl
11/ ICNAF 5 and 6	PLATA DE MANTEÑA	OTB-Otorm Trawler	15/5--15/9/77	Illex	300	Otter trawl
12/ ICNAF 5 and 6	EL BLANCO	OTB-Otorm Trawler	15/5--15/9/77	Illex	350	Otter trawl
13/ ICNAF 5 and 6	CELIA	OTB-Otorm Trawler	15/5--15/9/77	Illex	250	Otter trawl
14/ ICNAF 5 and 6	CASTRO DE COSA	OTB-Otorm Trawler	15/5--15/9/77	Illex	340	Otter trawl
15/ ICNAF 5 and 6	SANTA PETRAD	OTB-Otorm Trawler	15/5--15/9/77	Illex	450	Otter trawl
16/ ICNAF 5 and 6	PELICANO	OTB-Otorm Trawler	15/5--15/9/77	Illex	250	Otter trawl
17/ ICNAF 5 and 6	STOCKHOLMA	OTB-Otorm Trawler	15/5--15/9/77	Illex	480	Otter trawl

Ocean Area	Name of Vessel	Type of Vessel	Period (from-to)	Species	Contemplated Catch (mt)	Gear to be Used
1/ ICNAF 5 and 6	OLIANA	OTB-Otoro Trawler	15/5--15/9/77	Illex	100	Otter trawl
1/ ICNAF 5 and 6	CHICHA TOUSA	OTB-Otoro Trawler	15/5--15/9/77	Illex	200	Otter trawl

Gp. 3

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0025

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel CHICHA TOUSA
2. Vessel No./ Hull No. GT-4 Registration No. 1.978
3. Name and Address of Owner — Name and Address of Charterer
   Name ANTONIO TOUSA BLANCO
   Address MARQUES DE VALLADARES, 32
   VIGO
   Cable Address
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 411,4 (Net)
7. Length 39,7 M. 8. Breadth 8,5 M. 9. Draft 4,105 M.
10. Horsepower 1200 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other
13. Date Built 1.975
14. Number and Nationality of Personnel 22 spanish
    Officers 2 Crew 20 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ),
    Other
    International Radio Call Sign E.G.S.Y
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0025

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
    Decca ( ), Navsat ( ), Radar (X), Fathometer ( ),
    Other
17. Cargo Capacity (MT) — 18. Cargo Space: Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	490	Tanks	186 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
    12 Tons for day
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid		
ICNAF	5 and 6	Loligo	350	Otter trawl
		Illex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0026

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel OLIANA
2. Vessel No./ Hull No. VI-5 Registration No. 787
3. Name and Address of Owner — Name and Address of Charterer
   Name PESQUERA VASCO GALLEGA
   Address ORILLAMAR, 97
   VIGO
   Cable Address VASGA
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 280,5 (Net) 134
7. Length 36,7 M. 8. Breadth 6,8 M. 9. Draft M.
10. Horsepower 700 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other
13. Date Built 1956
14. Number and Nationality of Personnel 21 spanish
    Officers 2 Crew 19 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ),
    Other
    International Radio Call Sign E.B.X.A
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0026

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	170	Tanks 80 m³	
Fish Meal	_____	Other	
Other	_____		

19. Processing Equipment (Indicate daily capacity,MT)

_____

_____

_____

_____

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid, Loligo, Ilex, Other	180	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0027

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel NOGUEIROSA
2. Vessel No.: Hull No. VI-5 Registration No. 8.614
3. Name and Address of Owner: Name PESCANOVA, S.A. / Address APARTADO, 424 / VIGO / Cable Address PESCANOVA — Name and Address of Charterer: _____
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 749,1 (Net) 346
7. Length 53,4 M. 8. Breadth 9,3 M. 9. Draft 4 M.
10. Horsepower 1.500 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.965
14. Number and Nationality of Personnel 31 spanish
Officers 5 Crew 26 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy (X), Other _____
International Radio Call Sign E.E.Q.S
Radio Frequencies Monitored 500 - 2.182 - 156,8
Other Working Frequencies _____
Schedule _____

SP-77-0027

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	617	Tanks 250 m³	
Fish Meal	_____	Other	
Other	_____		

19. Processing Equipment (Indicate daily capacity,MT)

24 Tons for day

_____

_____

_____

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid, Loligo, Illex, Other	680 Two travels	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0028

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PUXEIROS
2. Vessel No.: Hull No. VI-5 Registration No. 9.139
3. Name and Address of Owner: Name PESQUERIAS MOLARES, S.A. / Address AVDA. ORILLAMAR, 195 / VIGO / Cable Address MOLARES — Name and Address of Charterer: _____
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 297,6 (Net) 141
7. Length 38,7 M. 8. Breadth 7,5 M. 9. Draft 3,60 M.
10. Horsepower 800 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.973
14. Number and Nationality of Personnel 21 spanish
Officers 2 Crew 19 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ), Other _____
International Radio Call Sign E.A.E.S
Radio Frequencies Monitored _____
Other Working Frequencies _____
Schedule _____

SP-77-0028

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

		18. Cargo Space Number	Bale
Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	265	Tanks 117 m³	
Fish Meal	_____	Other	
Other	_____		

19. Processing Equipment (Indicate daily capacity,MT)

7 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid		
ICNAF	5 and 6	Loligo	200	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0029

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel MONTE PUNAJO
2. Vessel No.: Hull No. GI-4 Registration No.: 965
3. Name and Address of Owner / Name and Address of Charterer

Name PESQUERIAS MOLARES, S.A.

Address AVDA. CHILLAMAR, 195

VIGO

Cable Address MOLARES

4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 513,1 (Net) 134,48
7. Length 44,5 M. 8. Breadth 9,1 M. 9. Draft 4,268 M.
10. Horsepower 1200 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.975
14. Number and Nationality of Personnel 22 spanish

Officers 4 Crew 18 Other (Specify) _____

15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy (X), Other _____

International Radio Call Sign E.O.W.G

Radio Frequencies Monitored 500 - 2.182 - 156,8

Other Working Frequencies _____

Schedule _____

SP-77-0029

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

		18. Cargo Space Number	Bale
Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	520	Tanks 208, 3 m³	
Fish Meal	_____	Other	
Other	_____		

19. Processing Equipment (Indicate daily capacity,MT)

14 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid		
ICNAF	5 and 6	Loligo	420	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0030

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel CANTON DE COBA
2. Vessel No.: Hull No. VI-5 Registration No. 9.537
3. Name and Address of Owner / Name and Address of Charterer

Name PESQUERIA ARCAIN, S.L.

Address EDUARDO CABELLO, 29

VIGO

Cable Address _____

4. Homeport and State of Registry: CADIZ
5. Type of Vessel O.T.B
6. Tonnage (Gross) 299,1 (Net) 199,45
7. Length 39,2 M. 8. Breadth 6,8 M. 9. Draft 3,80 M.
10. Horsepower 1.160 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.975
14. Number and Nationality of Personnel 21 spanish

Officers 2 Crew 19 Other (Specify) _____

15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ), Other _____

International Radio Call Sign E.U.S.A

Radio Frequencies Monitored _____

Other Working Frequencies _____

Schedule _____

SP-77-0030

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT) — 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	260	Tanks 218 m³	
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid, Loligo, Ilex, Other	240	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0031

Permit Period Applied For: 1,977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel CORIA
2. Vessel No.: Hull No. VI-5 — Registration No. 9.513
3. Name and Address of Owner — Name and Address of Charterer
   Name PESQUERAS RIAS BAJAS, S.A
   Address MONTE DO BOSTAR, VIGO
   Cable Address
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 299,3 (Net)
7. Length 39,7 M. B. Breadth 8,8 M. D. Draft M.
10. Horsepower 1.235 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.975
14. Number and Nationality of Personnel 23 spanish
    Officers 2 Crew 21 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
    International Radio Call Sign E.O.O.K
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0031

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar X), Fathometer ( ), Other _____

17. Cargo Capacity (MT) — 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	260	Tanks 218 m³	
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
    6 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid, Loligo, Ilex, Other	250	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0032

Permit Period Applied For: 1,977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel EL DIAMANTE
2. Vessel No.: Hull No. CA - 3 — Registration No. 1.030
3. Name and Address of Owner — Name and Address of Charterer
   Name DAIMUDINA, S.A.
   Address APARTADO, 182, CADIZ
   Cable Address DAIMUDINA
4. Homeport and State of Registry: CADIZ
5. Type of Vessel O.T.B
6. Tonnage (Gross) 412,6 (Net)
7. Length 43,4 M. B. Breadth 9 M. D. Draft M.
10. Horsepower 1190 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.974
14. Number and Nationality of Personnel 13 spanish
    Officers 2 Crew 10 Other (Specify)
15. Communications: VHF-FM X), AM/SSB, Voice ( ), Telegraph ( ), Other
    International Radio Call Sign E.G.E.M
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0032

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	355	Tanks	176 m³
Fish Meal	_____	Other	
Other	_____		

18. Cargo Space Number Name

19. Processing Equipment (Indicate daily capacity,MT)

12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-5-77 / 15-9-77	squid / Loligo / Ilex / Other	250	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0033

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PLAYA DE MENDUIÑA
2. Vessel No.: Hull No. VI-5 Registration No. 9446
3. Name and Address of Owner / Name and Address of Charterer
   Name: JUAN BARREIRO PRADO
   Address: c APARTADO, 1.011
   VIGO
   Cable Address:
4. Homeport and State of Registry: VIGO
5. Type of Vessel: O.T.B
6. Tonnage (Gross) 257,3 (Net)
7. Length 31,7 m. 8. Breadth 8 m. 9. Draft 3,95 m.
10. Horsepower 800 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 20 spanish
    Officers 4 Crew 16 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____
    International Radio Call Sign E.H.K.N
    Radio Frequencies Monitored _____
    Other Working Frequencies _____
    Schedule _____

SP-77-0033

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	200	Tanks	130 m³
Fish Meal	_____	Other	
Other	_____		

18. Cargo Space Number Name

19. Processing Equipment (Indicate daily capacity,MT)

4 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid / Loligo / Ilex / Other	200	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-33 SP-77-0034

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PESCAMARO UNO
2. Vessel No.: Hull No. VI-5 Registration No. 9.540
3. Name and Address of Owner / Name and Address of Charterer
   Name: PESCAMARO, S.A.
   Address: Llanos del Espartal, s/n
   ALICANTE
   Cable Address: PRIGOMARO
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 114,1 (Net)
7. Length 29,3 m. 8. Breadth 5,5 m. 9. Draft 4,05 m.
10. Horsepower 1200 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.975
14. Number and Nationality of Personnel 20 spanish
    Officers 4 Crew 16 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other _____
    International Radio Call Sign E.O.U.U
    Radio Frequencies Monitored 500 - 2.182 - 156,8
    Other Working Frequencies _____
    Schedule _____

SP-77-0034

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer ( ),
Other

17. Cargo Capacity (MT) 18. Cargo Space

	Number	Name
Salted Fish		Freezer
Fresh Fish		Dry Hold
Frozen Fish 190		Tanks 145,3 m³
Fish Meal		Other
Other		

19. Processing Equipment (indicate daily capacity,MT)
5 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid / Loligo / Ilex / Other	240	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0035

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel LAXE DOS (TOS)
2. Vessel No.: Hull No. 81-4 Registration No. 1.047
3. Name and Address of Owner / Name and Address of Charterer
Name ANTONIO VALDESPO
Address ARAUSO, 1 (Of.) VIGO
Cable Address
4. Homeport and State of Registry: TENERIFE
5. Type of Vessel O.T.B
6. Tonnage (Gross) 165,3 (Net) 243,60
7. Length 18,5 M. 8. Breadth 8,5 M. 9. Draft 3,98 M.
10. Horsepower 1.000 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.974
14. Number and Nationality of Personnel 21 spanish
Officers 2 Crew 19 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ),
Other
International Radio Call Sign E.E.S.B
Radio Frequencies Monitored
Other Working Frequencies
Schedule

SP-77-0035

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar XX), Fathometer ( ),
Other

17. Cargo Capacity (MT) 18. Cargo Space

	Number	Name
Salted Fish		Freezer
Fresh Fish		Dry Hold
Frozen Fish 360		Tanks 221 m³
Fish Meal		Other
Other		

19. Processing Equipment (indicate daily capacity,MT)
12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid / Loligo / Ilex / Other	200	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0036

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel ORBALLO
2. Vessel No.: Hull No. VI-5 Registration No. 9539
3. Name and Address of Owner / Name and Address of Charterer
Name JULIO ROLANDO PEREZ
Address PUERTO PESQUERO PUERTO, 11 VIGO
Cable Address
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 314,1 (Net) 229,95
7. Length 29,3 M. 8. Breadth 5,5 M. 9. Draft 4,05 M.
10. Horsepower 1.000 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.975
14. Number and Nationality of Personnel 20 spanish
Officers 3 Crew 25 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ),
Other
International Radio Call Sign E.S.T.I
Radio Frequencies Monitored
Other Working Frequencies
Schedule

SP-77-0036

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer ( ),
Other

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish ____ Freezer
Fresh Fish ____ Dry Hold
Frozen Fish 390 Tanks 148,8 m³
Fish Meal ____ Other
Other ____

19. Processing Equipment (Indicate daily capacity,MT)
10 tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid, Loligo, Illex, Other	290	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0037

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel COSTA DE NOREGA
2. Vessel No.: Hull No. SE-4 Registration No. 2.479
3. Name and Address of Owner Name and Address of Charterer
Name HIJOS DE ANGEL OJEDA,S.A.
Address APARTADO, 259
GIJON
Cable Address OJEDA
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 411,1 (Net)
7. Length 37,6 m. 8. Breadth 9 m. 9. Draft 4,74 m.
10. Horsepower 1200 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.973
14. Number and Nationality of Personnel 22 spanish
Officers 4 Crew 18 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph: (X),
Other
International Radio Call Sign E.D.E.L
Radio Frequencies Monitored 500 - 2,181 - 156,8
Other Working Frequencies
Schedule

SP-77-0037

18. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer (X),
Other

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish ____ Freezer
Fresh Fish ____ Dry Hold
Frozen Fish 330 Tanks 114 m³
Fish Meal ____ Other
Other ____

19. Processing Equipment (Indicate daily capacity,MT)
12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 / 15-9-77	squid, Loligo, Illex, Other	250	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0038

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel VIDO PANCHET
2. Vessel No.: Hull No. VI-5 Registration No. 9.452
3. Name and Address of Owner Name and Address of Charterer
Name MARAIGE, S.A.
Address MUELLE DE LEVANTE, S/B
CADIZ
Cable Address MARALGESA
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 454,5 (Net) 313,74
7. Length 47,2 m. 8. Breadth 9,5 m. 9. Draft m.
10. Horsepower 1.850 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.974
14. Number and Nationality of Personnel 26 spanish
Officers 4 Crew 22 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph: (X),
Other
International Radio Call Sign E.O.K.I
Radio Frequencies Monitored 500 - 2,182 - 156,8
Other Working Frequencies
Schedule

SP-77-0038

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT) | 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	520	Tanks	253 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

15 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid, Loligo, Ilex, Other	380	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0037

Permit Period Applied For: 1.977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel VICIADOR
2. Vessel No./ Hull No. VI-5 Registration No. 9.338
3. Name and Address of Owner / Name and Address of Charterer
   Name FERNANDO OYA PEREZ
   Address AVDA. SAN FRANCISCO, 29
   VIGO
   Cable Address
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 319,2 (Net) 230,14
7. Length 35,6 M. R. Breadth 8,5 M. 9. Draft ___ M.
10. Horsepower 800 shp. 11. Maximum Speed ___ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.971
14. Number and Nationality of Personnel 21 spanish
    Officers 4 Crew 17 Other (Specify) ___
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other _____
    International Radio Call Sign E.G.D.R
    Radio Frequencies Monitored 500 - 2.182 - 156,8
    Other Working Frequencies _____
    Schedule _____

SP-77-0039

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT) | 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	300	Tanks	92 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

7 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid, Loligo, Ilex, Other	230	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0040

Permit Period Applied For: 1.977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel MOUTA
2. Vessel No./ Hull No. VI-5 Registration No. 9.559
3. Name and Address of Owner / Name and Address of Charterer
   Name ARMAPESCA, S.A.
   Address J.JANER, 14
   MARIN (PONTEVEDRA)
   Cable Address
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 297,3 (Net) ___
7. Length 35,4 M. R. Breadth 8 M. 9. Draft ___ M.
10. Horsepower 1.000 shp. 11. Maximum Speed ___ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.975
14. Number and Nationality of Personnel 20 spanish
    Officers 3 Crew 17 Other (Specify) ___
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____
    International Radio Call Sign E.G.E.Q
    Radio Frequencies Monitored _____
    Other Working Frequencies _____
    Schedule _____

SP-77-0040

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT) | 18. Cargo Space Number | Name

Salted Fish		Freezer
Fresh Fish		Dry Hold
Frozen Fish	65	Tanks 150 m³
Fish Meal		Other
Other		

19. Processing Equipment (Indicate daily capacity, MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid Loligo Ilex Other	210	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0041

Permit Period Applied For: 1.977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel EL QUEMADO
2. Vessel No.: Hull No. CA-3 Registration No.: 929
3. Name and Address of Owner / Name and Address of Charterer
   Name: HAINEDINA, S.A.
   Address: APARTDO. 352
   CADIZ
   Cable Address: HAINEDINA
4. Homeport and State of Registry: CADIZ
5. Type of Vessel O.T.B
6. Tonnage (Gross) 412,8 (Net)
7. Length 43,3 M. 8. Breadth 9 M. 9. Draft 3,5 M.
10. Horsepower 1.190 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.974
14. Number and Nationality of Personnel 17 spanish
    Officers 2 Crew 15 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
    International Radio Call Sign E.G.E.H
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0041

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X), Other _____

17. Cargo Capacity (MT) | 18. Cargo Space Number | Name

Salted Fish		Freezer
Fresh Fish		Dry Hold
Frozen Fish	355	Tanks 176 m³
Fish Meal		Other
Other		

19. Processing Equipment (Indicate daily capacity, MT)
    12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid Loligo Ilex Other	290	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0042

Permit Period Applied For: 1.977 | Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel ALTAMAR
2. Vessel No.: Hull No. CA-1 Registration No. 937
3. Name and Address of Owner / Name and Address of Charterer
   Name: MAR, S.A.
   Address: GARCIA BARBON, 6
   VIGO
   Cable Address: MARPESCA
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 643,5 (Net) 306
7. Length 57,3 M. 8. Breadth 9,5 M. 9. Draft 3,8 M.
10. Horsepower 1.500 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.965
14. Number and Nationality of Personnel 30 spanish
    Officers 5 Crew 25 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
    International Radio Call Sign E.X.G.K
    Radio Frequencies Monitored
    Other Working Frequencies
    Schedule

SP-77-0042

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X),
Other _____

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	700	Tanks	180 m³
Fish Meal	_____	Other	
Other	_____		

19. Processing Equipment (Indicate daily capacity, MT)
30 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid	330	Otter Trawl
ICNAF	5 and 6	Loligo		
		Illex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0043

Permit Period Applied For: 1.977

Application No. _____ For Use of Issuing Office

State: SPAIN

1. Name of Vessel MUINKA
2. Vessel No.: Hull No. VI-5 Registration No. 8.524
3. Name and Address of Owner: Name JULIAN ALVAREZ GONZALEZ; Address ORTIGUEIRA, 35; VIGO; Cable Address _____
Name and Address of Charterer _____
4. Homeport and State of Registry: HUELVA
5. Type of Vessel O.T.B
6. Tonnage (Gross) 747,1 (Net) 161
7. Length 49,3 m. B. Breadth 9,1 M. B. Draft ____ M.
10. Horsepower 1120 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ).
Other _____
13. Date Built 1.964
14. Number and Nationality of Personnel 34 spanish
Officers 6 Crew 28 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X).
Other _____
International Radio Call Sign E.D.Z.J
Radio Frequencies Monitored 500 -2.182 -156,8
Other Working Frequencies _____
Schedule _____

SP-77-0043

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer (X),
Other _____

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	560	Tanks	233 m³
Fish Meal	_____	Other	
Other	_____		

19. Processing Equipment (Indicate daily capacity, MT)
20 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	15-6-77 15-9-77	squid	400	Otter trawl
ICNAF	5 and 6	Loligo		
		Illex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

Ocean Area	Name of Vessel	Type of Vessel	Period (from-to)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5 and 6	ALCOLEA	OTB-Storm Trawler	1/11-31/12/77	Loligo	150	Otter trawl
ICNAF 5 and 6	BONANZA	OTB-Storm Trawler	1/11-31/12/77	Loligo	300	Otter trawl
ICNAF 5 and 6	Blanca	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	Isabel	OTB-Storm Trawler	1/11-31/12/77	Loligo	150	Otter trawl
ICNAF 5 and 6	MUINKA	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	PAZ-PAZ	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	ANA Mª MARIÑO	OTB-Storm Trawler	1/11-31/12/77	Loligo	300	Otter trawl
ICNAF 5 and 6	RAIMUNDO	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	SAN JOSE GALLEGO	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	COSTA DE LOS MARINOS	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	RAIMUNDO	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	PEDRITO TOMASA	OTB-Storm Trawler	1/11-31/12/77	Loligo	300	Otter trawl
ICNAF 5 and 6	VILLA DE MARIN	OTB-Storm Trawler	1/11-31/12/77	Loligo	300	Otter trawl
ICNAF 5 and 6	VILLA DEBA	OTB-Storm Trawler	1/11-31/12/77	Loligo	440	Otter trawl
ICNAF 5 and 6	FLORIDA TOMATO	OTB-Storm Trawler	1/11-31/12/77	Loligo	440	Otter trawl
ICNAF 5 and 6	RODRIGUEZ	OTB-Side Trawler	1/11-31/12/77	Loligo	400	Otter trawl
ICNAF 5 and 6	CHALAPA III	OTB-Storm Trawler	1/11-31/12/77	Loligo	200	Otter trawl

Ocean Area	Name of Vessel	Type of Vessel	Period (From-To)	Species	Contemplated catch (mt)	Gear to be Used
ICNAF 5 and 6	PINARIA	STR-Stern Trawler	1/11-31/12/77	Loligo	200	Otter trawl
ICNAF 5 and 6	PERCA	STR-Stern Trawler	1/11-31/12/77	Loligo	270	Otter trawl
ICNAF 5 and 6	VIEIRASA IV	STR-Stern Trawler	1/11-31/12/77	Loligo	270	Otter trawl

Gp. 4

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-C044

Permit Period Applied For: 1.977

Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel VIEIRASA CUATRO
2. Vessel No./ Hull No. VI-5 Registration No. 6681
3. Name and Address of Owner / Name and Address of Charterer
   Name S.A EUXANDO VIEIRA
   Address AVDA. ORILLAMAR, 1
   VIGO
   Cable Address VIEIRASA
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 440,1 (Net) 169
7. Length 44,2 M. B. Breadth 8,1 M. 9. Draft 4,4 M.
10. Horsepower 1200 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ).
    Other
13. Date Built 1.967
14. Number and Nationality of Personnel 20 spanish
    Officers 2 Crew 18 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph: X ( ).
    Other
    International Radio Call Sign E.E.X.K
    Radio Frequencies Monitored 500 - 2.182 - 156,8
    Other Working Frequencies
    Schedule

SP-77-C044

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar X), Fathometer (X).
    Other
17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	400	Tanks 204 m^3	
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
    14 Tons for day
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
ICNAF	5 and 6	Loligo	270	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0045

Permit Period Applied For: 1.977

Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PERCA
2. Vessel No./ Hull No. VI-5 Registration No. 9.140
3. Name and Address of Owner / Name and Address of Charterer
   Name PESQUERA OYSI, S.A.
   Address
   BOUZA - VIGO
   Cable Address
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 415,7 (Net) 126
7. Length 42 M. B. Breadth 8,5 M. 9. Draft 4,3 M.
10. Horsepower 1200 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ).
    Other
13. Date Built 1.973
14. Number and Nationality of Personnel 24 spanish
    Officers 4 Crew 20 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph: X ( ).
    Other
    International Radio Call Sign E.A.E.G
    Radio Frequencies Monitored 500 - 2.182 - 156,8
    Other Working Frequencies
    Schedule

SP-77-0045

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	480	Tanks	233 m^3
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
ICNAF	5 and 6	Loligo	370	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0046

Permit Period Applied For: 1.977 Application No. _____ For Use of Issuing Office

State: SPAIN

1. Name of Vessel PRAGANA
2. Vessel No.: Hull No. VI-5 Registration No. 9.565
3. Name and Address of Owner: Name JUANA OYA PENET; Address AVDA.SAN FRANCISCO, 29, VIGO; Cable Address _____ Name and Address of Charterer: _____
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 350,1 (Net) _____
7. Length 40,4 M. B. Breadth 8,5 M. D. Draft 4,05 M.
10. Horsepower 1220 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.975
14. Number and Nationality of Personnel 20 spanish; Officers 5 Crew 15 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____; International Radio Call Sign E.G.Y.I; Radio Frequencies Monitored _____; Other Working Frequencies _____; Schedule _____

SP-77-0046

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar g), Fathometer ( ), Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	420	Tanks	127 m^3
Fish Meal		Other	
Other			

19. Processing Equipment (indicate daily capacity,MT)

8 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
ICNAF	5 and 6	Loligo	290	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0047

Permit Period Applied For: 1.977 Application No. _____ For Use of Issuing Office

State: SPAIN

1. Name of Vessel CONDANOVA III
2. Vessel No.: Hull No. VI-5 Registration No. 9.499
3. Name and Address of Owner: Name BANOONOVA, S.A.; Address AVDA.SAN FRANCISCO,29, VIGO; Cable Address _____ Name and Address of Charterer: _____
4. Homeport and State of Registry: VAS PATMAN
5. Type of Vessel O.T.B
6. Tonnage (Gross) 314,1 (Net) 229,95
7. Length 39,4 M. B. Breadth 8,5 M. D. Draft 1,50 M.
10. Horsepower 1160 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 20 spanish; Officers 5 Crew 15 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____; International Radio Call Sign E.G.M.Y; Radio Frequencies Monitored _____; Other Working Frequencies _____; Schedule _____

SP-77-0047

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____
Fresh Fish	_____
Frozen Fish	390
Fish Meal	_____
Other	_____

18. Cargo Space

Number	Name
Freezer	
Dry Hold	
Tanks	148,9 m^3
Other	

19. Processing Equipment (Indicate daily capacity,MT)

12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
ICNAF	5 and 6	Loligo	290	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0048

Permit Period Applied For: 1.977

Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel MOGUEROGA
2. Vessel No.: Hull No. VI-5 Registration No. 8.614
3. Name and Address of Owner: Name PESCANOVA,S.A. Address APARTADO, 474 VIGO Cable Address PESCANOVA
   Name and Address of Charterer: _____
4. Homeport and State of Registry: LAS PALMAS
5. Type of Vessel O.T.B
6. Tonnage (Gross) 749,1 (Net) 146
7. Length 53,4 M. F. Breadth 9,3 M. F. Draft 4 M.
10. Horsepower 1500 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.965
14. Number and Nationality of Personnel 31 spanish
    Officers 5 Crew 26 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____
    International Radio Call Sign E.E.Q.B
    Radio Frequencies Monitored 500 - 2.182- 156,8
    Other Working Frequencies _____
    Schedule _____

SP-77-0049

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____
Fresh Fish	_____
Frozen Fish	617
Fish Meal	_____
Other	_____

18. Cargo Space

Number	Name
Freezer	
Dry Hold	
Tanks	250 m^3
Other	

19. Processing Equipment (Indicate daily capacity,MT)

24 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
ICNAF	5 and 6	Loligo	400	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0047

Permit Period Applied For: 1.977

Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PARPESCA CUATRO
2. Vessel No.: Hull No. VI-5 Registration No. 9422
3. Name and Address of Owner: Name PARPESCA, S.A. Address APARTADO, 1077 VIGO Cable Address _____
   Name and Address of Charterer: _____
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 471 (Net) 250
7. Length 43,9 M. F. Breadth 9,5 M. F. Draft 4,1 M.
10. Horsepower 1200 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1.974
14. Number and Nationality of Personnel 24 spanish
    Officers 4 Crew 20 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other _____
    International Radio Call Sign E.S.J.V
    Radio Frequencies Monitored 500 - 2,182- 156,8
    Other Working Frequencies _____
    Schedule _____

SP-77-0049

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	720	Tanks 250 m^3	
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

8 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
		Loligo		
ICNAF	5 and 6	Ilex	440	Otter trawl
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0050

Permit Period Applied For: 1.977

Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel NUEVO MUNDO
2. Vessel No.: Hull No. VI -5 Registration No. 9.381
3. Name and Address of Owner: Name: S.A PESQUERA INDUSTRIAL; Address: AVD. DE LAS CAMELIAS 58, VIGO; Cable Address: ____
   Name and Address of Charterer: GALICIA
4. Homeport and State of Registry: HUELVA
5. Type of Vessel O.T.B
6. Tonnage (Gross) 667,1 (Net) 422
7. Length 51,8 M. 8. Breadth 9,5 M. 9. Draft 4,4 M.
10. Horsepower 1400 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.966
14. Number and Nationality of Personnel 34 spanish: Officers 5 Crew 29 Other (Specify) ____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other
    International Radio Call Sign E.F.E.O
    Radio Frequencies Monitored 500 - 2.182 - 156,8
    Other Working Frequencies ____
    Schedule ____

SP-77-0050

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other

17. Cargo Capacity (MT)

		18. Cargo Space Number	Name
Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	700	Tanks 256 m^3	
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

24 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
		Loligo		
ICNAF	5 and 6	Ilex	440	Otter trawl
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0051

Permit Period Applied For: 1.977

Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel VILLA DE MARIN
2. Vessel No.: Hull No. VI-5 Registration No. 9507
3. Name and Address of Owner: Name: MANUEL ROMERO GONZALEZ; Address: CALVO SOTELO, 70 MARIN (PONTEVEDRA); Cable Address: ____
   Name and Address of Charterer
4. Homeport and State of Registry: MARIN
5. Type of Vessel O.T.B
6. Tonnage (Gross) 314,1 (Net) 229,95
7. Length 39,4 M. 8. Breadth 8,5 M. 9. Draft 3,50 M.
10. Horsepower 1000 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.975
14. Number and Nationality of Personnel 20 spanish: Officers 4 Crew 16 Other (Specify) ____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other
    International Radio Call Sign E.G.S.M
    Radio Frequencies Monitored ____
    Other Working Frequencies ____
    Schedule ____

SP-77-0051

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish ____ Freezer
Fresh Fish ____ Dry Hold
Frozen Fish 390 Tanks 195 m³
Fish Meal ____ Other
Other ____

19. Processing Equipment (Indicate daily capacity, MT)

10 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
		Loligo		
ICNAF	5 and 6	Ilex	280	Otter Trawl
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0052

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PUENTE TOBALIA
2. Vessel No.: Hull No. VI-5 Registration No. 9508
3. Name and Address of Owner Name and Address of Charterer

Name PESQUERIAS PAULINO PRIETO

Address AVDA. ORILLAMAR, s/n

NOIA - VIGO

Cable Address RUPRIETOBCA

4. Homeport and State of Registry: VIGO
5. Type of Vessel OTB
6. Tonnage (Gross) 287,4 (Net) 197
7. Length 38 M. 8. Breadth 8,4 M. 9. Draft 3,70 M.
10. Horsepower 1160 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.975
14. Number and Nationality of Personnel 15 spanish
Officers 3 Crew 12 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other

International Radio Call Sign E.O.M.M

Radio Frequencies Monitored

Other Working Frequencies

Schedule

SP-77-0052

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish ____ Freezer
Fresh Fish ____ Dry Hold
Frozen Fish 56 Tanks 120,8 m³
Fish Meal ____ Other
Other ____

19. Processing Equipment (Indicate daily capacity, MT)

6 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
		Loligo		
ICNAF	5 and 6	Ilex	240	Otter trawl
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0053

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel SAMANES
2. Vessel No.: Hull No. VI-5 Registration No. 8741
3. Name and Address of Owner Name and Address of Charterer

Name PESQUEROS TANTRONES, S.A.

Address AVDA. ORILLAMAR, 1

VIGO

Cable Address

4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 494, (Net) 249
7. Length 49,3 M. 8. Breadth 8,3 M. 9. Draft 4,4 M.
10. Horsepower 1200 shp. 11. Maximum Speed ____ kt.
11. Propulsion: Diesel XX, Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.967
14. Number and Nationality of Personnel 29 spanish
Officers 5 Crew 24 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other

International Radio Call Sign E.P.N.I

Radio Frequencies Monitored 500 - 2.182 - 156, 8

Other Working Frequencies

Schedule

SP-77-0053

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer ( ),
Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	490	Tanks	200 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
16 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
ICNAF	5 and 6	Loligo / Ilex / Other	350	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0054

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel COSTA DE MOVANDIA
2. Vessel No.: Hull No. ST - 4 Registration No. 2.475
3. Name and Address of Owner / Name and Address of Charterer
Name PESQUERA OJEDA, S.A.
Address Apartado, 259
GIJON
Cable Address
4. Homeport and State of Registry: CADIZ
5. Type of Vessel O.T.B
6. Tonnage (Gross) 411,8 (Net)
7. Length 46,2 M. 8. Breadth 9 M. 9. Draft 4 M.
10. Horsepower 1200 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.974
14. Number and Nationality of Personnel 22 spanish
Officers 4 Crew 16 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X),
Other
International Radio Call Sign E.A.P.B
Radio Frequencies Monitored 500 - 2.182 - 156, 8
Other Working Frequencies
Schedule

SP-77-0054

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer ( ),
Other

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	290	Tanks	165 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 31-12-77	squid		
ICNAF	5 and 6	Loligo / Ilex / other	290	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0055

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel MAR DE GALICIA
2. Vessel No.: Hull No. VI-5 Registration No. 9.516
3. Name and Address of Owner / Name and Address of Charterer
Name PESCAMARIN, S. A.
Address AVDA ORENSE, 60
MARIN (PONTEVEDRA)
Cable Address
4. Homeport and State of Registry: MARIN
5. Type of Vessel O.T.B
6. Tonnage (Gross) 257,3 (Net) 185,60
7. Length 35,4 M. 8. Breadth 8 M. 9. Draft M.
10. Horsepower 1000 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.975
14. Number and Nationality of Personnel 20 spanish
Officers 4 Crew 16 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ),
Other
International Radio Call Sign E.O.S.C
Radio Frequencies Monitored
Other Working Frequencies
Schedule

SP-77-0055

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	200	Tanks	150 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-01-77 31-12-77 5 and 6	squid Loligo / Illex / Other	210	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0056

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel KANTXOPE
2. Vessel No.: Hull No. BI-4 Registration No. 161
3. Name and Address of Owner: Name MARBAKA; Address DARSENA DE ZORROTZA-ETXEBARRI, 1,2,3 ONDARROA (VIZCAYA); Cable Address — Name and Address of Charterer
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 491 (Net)
7. Length 46,9 M. 8. Breadth 9,5 M. 9. Draft 4 M.
10. Horsepower 1.600 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.975
14. Number and Nationality of Personnel 20 spaniah; Officers 5 Crew 15 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other
International Radio Call Sign E.G.S.J
Radio Frequencies Monitored 500 - 2.182 - 156, 8
Other Working Frequencies
Schedule

SP-77-0058

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other

17. Cargo Capacity (MT) 18. Cargo Space Number Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	343	Tanks	245 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
15 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC ICNAF	1-01-77 31-12-77 5 and 6	squid Loligo / Illex / Other	290	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0057

Permit Period Applied For: 1.977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel ANA MARIA GANDO
2. Vessel No.: Hull No. VI - Registration No. 9134
3. Name and Address of Owner: Name WENCESLAO GANDON; Address CASAL - ALDAN - VIGO; Cable Address — Name and Address of Charterer
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 358,1 (Net)
7. Length 39,7 M. 8. Breadth 8,5 M. 9. Draft 4,127 M.
10. Horsepower 800 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1.971
14. Number and Nationality of Personnel 19 spaniah; Officers 4 Crew 15 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other
International Radio Call Sign E.F.Y.K
Radio Frequencies Monitored 500 - 2.182 - 156, 8
Other Working Frequencies
Schedule

SP-77-0057

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	315	Tanks	196 m³
Fish Meal	_____	Other	
Other	_____		

18. Cargo Space Number Name

19. Processing Equipment (Indicate daily capacity,MT)

40 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 / 31-12-77	squid		
ICNAF	5 and 6	Loligo	280	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0053

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel PRES.PRES

2. Vessel No.: Hull No. GI-4 Registration No. 1738

3. Name and Address of Owner / Name and Address of Charterer

Name PESCANOVA, S.A.

Address APARTADO, 424

VIGO

Cable Address PESCANOVA

4. Homeport and State of Registry: VIGO

5. Type of Vessel O.T.B

6. Tonnage (Gross) 1.045,5 (Net) 549

7. Length 57,5 M. 8. Breadth 10,5 M. 9. Draft 4,8 M.

10. Horsepower 1.910 shp. 11. Maximum Speed _____ kt.

11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____

13. Date Built 1.967

14. Number and Nationality of Personnel 46 spanish

Officers 7 Crew 39 Other (Specify) _____

15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X), Other _____

International Radio Call Sign E.F.O.P

Radio Frequencies Monitored 500 - 2,182 - 156,8

Other Working Frequencies _____

Schedule _____

SP-77-0058

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT)

Salted Fish	_____	Freezer	
Fresh Fish	_____	Dry Hold	
Frozen Fish	850	Tanks	245 m³
Fish Meal	_____	Other	
Other	_____		

18. Cargo Space Number Name

19. Processing Equipment (Indicate daily capacity,MT)

20 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 / 31-12-77	squid		
ICNAF	5 and 6	Loligo	500	Otter trawl
		Ilex		
		Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0059

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel SUDMAR

2. Vessel No.: Hull No. VI-5 Registration No. 9594

3. Name and Address of Owner / Name and Address of Charterer

Name SUDMAR, S.L.

Address FILIPINAS, 29

VIGO

Cable Address _____

4. Homeport and State of Registry: VIGO

5. Type of Vessel O.T.B

6. Tonnage (Gross) 315,9 (Net) 229,95

7. Length 38,1 M. 8. Breadth 8,5 M. 9. Draft 4,05 M.

10. Horsepower 1160 shp. 11. Maximum Speed _____ kt.

11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____

13. Date Built 1.975

14. Number and Nationality of Personnel 20 spanish

Officers 8 Crew 12 Other (Specify) _____

15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ), Other _____

International Radio Call Sign E.O.X.P

Radio Frequencies Monitored _____

Other Working Frequencies _____

Schedule _____

SP-77-0059

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer ( ).
Other

17. Cargo Capacity (MT) — 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	376	Tanks	146 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity, MT)
12 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	4-11-77 / 31-12-77	squid		
ICNAF	5 and 6	Loligo / Illex / Other	290	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0060

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel MARU
2. Vessel No.: Hull No. B1-3 Registration No. 2.752
3. Name and Address of Owner — Name and Address of Charterer
Name PESCANOVA, S.A
Address APARTADO, 424
VIGO
Cable Address PESCANOVA
4. Homeport and State of Registry: LA CORUÑA
5. Type of Vessel O.T.B
6. Tonnage (Gross) 462,8 (Net) 229
7. Length 43,4 M. 8. Breadth 8,3 M. 9. Draft M.
10. Horsepower 1230 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.969
14. Number and Nationality of Personnel 18 spanish
Officers 3 Crew 15 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph (X),
Other
International Radio Call Sign E.H.Y.R
Radio Frequencies Monitored 500 - 2.182 - 156,8
Other Working Frequencies
Schedule

SP-77-0060

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer (X),
Other

17. Cargo Capacity (MT) — 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	500	Tanks	85 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity, MT)
17 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77 / 31-12-77	squid		
ICNAF	5 and 6	Loligo / Illex / Other	250	Otter trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0061

Permit Period Applied For: 1.977 — Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel GLACIAR
2. Vessel No.: Hull No. GT-4 Registration No. 1.966
3. Name and Address of Owner — Name and Address of Charterer
Name CONSTANTINO VAZQUEZ
Address SAN FRANCISCO, 29
VIGO
Cable Address
4. Homeport and State of Registry:
5. Type of Vessel O.T.B
6. Tonnage (Gross) 281,4 (Net) 220,29
7. Length 37,6 M. 8. Breadth 8 M. 9. Draft 3,70 M.
10. Horsepower 980 shp. 11. Maximum Speed kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other
13. Date Built 1.975
14. Number and Nationality of Personnel 18 spanish
Officers 2 Crew 16 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ),
Other
International Radio Call Sign E.G.E.K
Radio Frequencies Monitored
Other Working Frequencies
Schedule

SP-77-0061

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer ( ),
Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	54	Tanks	186 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
7 tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-01-77 / 31-12-77	squid / Loligo / Illex / Other	200	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0062

Permit Period Applied For: 1977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel EUSEBIETTA
2. Vessel No.: Hull No. VI-5 Registration No. 9564
3. Name and Address of Owner / Name and Address of Charterer
Name ONDARROTTARRA, S.A.
Address " PRIMO DE RIVERA, 21
ONDARROA (VIZCAYA)
Cable Address
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 439 (Net) 313,75
7. Length 47,2 M. 8. Breadth 9,5 M. 9. Draft 4,26 M.
10. Horsepower 1.600 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other _____
13. Date Built 1.975
14. Number and Nationality of Personnel 25 spanish
Officers 3 Crew 22 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ),
Other _____
International Radio Call Sign E.N.C.2
Radio Frequencies Monitored _____
Other Working Frequencies _____
Schedule _____

SP-77-0064

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ),
Decca ( ), Navsat ( ), Radar (X), Fathometer ( ),
Other _____

17. Cargo Capacity (MT) 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	503	Tanks	297 m³
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
15 Tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-01-77 / 31-12-77	squid / Loligo / Illex / Other	370	Otter trawl
ICNAF	5 and 6			

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

SP-77-0063

Permit Period Applied For: 1977 Application No. For Use of Issuing Office

State: SPAIN

1. Name of Vessel ALCOCIBO
2. Vessel No.: Hull No. VI-5 Registration No. 8739
3. Name and Address of Owner / Name and Address of Charterer
Name JOSE PUENTE OVIEDO
Address ORILLAMAR, 84 Travesia
VIGO
Cable Address
4. Homeport and State of Registry: VIGO
5. Type of Vessel O.T.B
6. Tonnage (Gross) 243,7 (Net) 122
7. Length 35,4 M. 8. Breadth 7,1 M. 9. Draft ___ M.
10. Horsepower 600 shp. 11. Maximum Speed _____ kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
Other _____
13. Date Built 1.967
14. Number and Nationality of Personnel 14 spanish
Officers 2 Crew 12 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraph ( ),
Other _____
International Radio Call Sign E.P.R.O
Radio Frequencies Monitored _____
Other Working Frequencies _____
Schedule _____

SP-77-006

16. Navigation Equipment: Loran C ( ), Loran A ( ), Omega ( ), Decca ( ), Navsat ( ), Radar (X), Fathometer ( ), Other _____

17. Cargo Capacity (MT) 150

18. Cargo Space

	Number	Name
Salted Fish		Freezer
Fresh Fish		Dry Hold
Frozen Fish	150	Tanks 67 m^3
Fish Meal		Other
Other		

19. Processing Equipment (Indicate daily capacity,MT)

6 tons for day

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
NW ATLANTIC	1-11-77	squid	150	otter trawl
ICNAF	31-12-77 5 and 6	Loligo, Illex, Other		

21. Name and Address of Agent appointed to receive any legal process issued in the United States:

_____

_____

_____

[FR Doc.77-6694 Filed 3-8-77;8:45 am]

[Public Notice 528]

FISHERY CONSERVATION AND MANAGEMENT

Applications for Permits to Fish Off the Coasts of the United States

The Fishery Conservation and Management Act of 1976 (Pub. L. 94-265) (the "Act") provides that no fishing shall be conducted by foreign fishing vessels in the Fishery Conservation Zone of the United States after February 28, 1977, except in accordance with a valid and applicable permit issued pursuant to section 204 of the Act.

The Act also requires that all applications for such permits be published in the FEDERAL REGISTER.

Applications for fishing beginning March 1, 1977, have been received from the Governments of the Federal Republic of Germany, France, Ireland and Italy through the European Economic Community pursuant to the agreement between the United States and the Community, and are published herewith.

Dated: March 2, 1977.

ALBERT L. ZUCCA,
Director, Office of Fisheries Affairs.

THE UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

APPLICATION FOR VESSEL PERMITS TO FISH WITHIN THE FISHERY CONSERVATION ZONE OF THE UNITED STATES, OR FOR ANADROMOUS SPECIES OR CONTINENTAL SHELF FISHERY RESOURCES

EC(GE)-77-0001 +0 0014

DATE 17.12.1976 APPLICATION NO. _____
for use of issuing Officer

In accordance with the provision of Section 204 of the Fishery Conservation and Management Act of 1976, (16 U.S.C. 1801-1882), and the governing international fisheries agreement entered into with the Government of the United States of America, which entered into force on _____,
date

the Government (or competent authority) of the Federal Republic of Germany

hereby submits this application for permits for fishing vessels under the jurisdiction to fish within the fishery conservation zone of the United States, or beyond that zone for anadromous species or Continental Shelf fishery resources subject to the jurisdiction of the United States.

The following information is submitted in support of this application (Use additional sheets as required).

A completed Fishing Vessel Identification Form for each permit that is requested; and a compilation of data contained in questions 5 and 20 in the attached Fishing Vessel Identification Form.

Submitted 17.12.1976
Date

Signature of Authorized Official

Title

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

Ec(GE)-77-0001

Permit Period Applied For: 1977 Application No. Ec(GE)-77-000 For Use of Issuing Office

State: Federal Republic of Germany

1. Name of Vessel Wiesbaden
2. Vessel No.: Hull No. NC 701 Registration No. 773
3. Name and Address of Owner: Name "Nordsee" Deutsche Hochseefischerei GmbH; Address Klußmannstraße, 2850 Bremerhaven; Cable Address Nordsee
   Name and Address of Charterer:
4. Homeport and State of Registry: Cuxhaven, FR Germany
5. Type of Vessel Stern Trawler
6. Tonnage (Gross) 3181 (Net) 1359.3
7. Length 91.98 m. 8. Breadth 15.02 m. 9. Draft 6.30 m.
10. Horsepower 3.000 shp. 11. Maximum Speed 15 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ).
    Other
13. Date Built 1973
14. Number and Nationality of Personnel 63:30 Portug., 33 German
    Officers 8 Crew 55 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X).
    Other
    International Radio Call Sign D F O B
    Radio Frequencies Monitored 500, 2182 KHz Channel 16
    Other Working Frequencies 2396, 3197, 3282 KHz
    Schedule H O
16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ), Decca (X), Navaid ( ), Radar (X), Fathometer (X), Other
17. Cargo Capacity (MT): Salted Fish —, Fresh Fish —, Frozen Fish 900, Fish Meal 350, Other Fish Oil 75
18. Cargo Space: Freezer 1 Frozen Fish; Dry Hold 1 Fish Meal; Tanks 4 Fish Oil; Other
19. Processing Equipment (Indicate daily capacity,MT): 1 Header Baader 412, 4 Filleters Baader 33, 1 Baader Filleter each Nr. 99, 15o, 181, 38, 33B, 2 Skinning machines Baader 46, 6 Skinning machines Baader 47, 1 Bones Seperator Baader 694, 1o Vertical Freezers Stal Aatra, Fishmeal plant Scholterbone, 2 Oil Seperators Westphalia. Processing capacity per day 3o to frozen fish, 1o to fish meal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5B+6	15.8.-3o.9.77	Herring	1184	Bottom trawl / Midwater trawl
5+6	15.6.-15.9.77	Loligo	125	Midwater trawl
5+6	1.1o.-31.12.77	Mackerel	276	Midwater trawl
5+6	1.6.-15.9.77	Illex upto 145		Bottom Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States: Elliot Shipping Co., Ship Agent, 47-49 Parker Street, P.O.Box 1186, Gloucester, Massachusetts 01930

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

Ec(GE)-77-0002

Permit Period Applied For: 1977 Application No. Ec(GE)-77-0002 For Use of Issuing Office

State: Federal Republic of Germany

1. Name of Vessel Stuttgart
2. Vessel No.: Hull No. NC 752 Registration No. 760
3. Name and Address of Owner: Name "Nordsee" Deutsche Hochseefischerei GmbH; Address Klußmannstrasse, 2850 Bremerhaven; Cable Address Nordsee
   Name and Address of Charterer:
4. Homeport and State of Registry: Bremerhaven FR Germany
5. Type of Vessel Stern Trawler
6. Tonnage (Gross) 3181 (Net) 1359,3
7. Length 91,98 m. 8. Breadth 15,02 m. 9. Draft 6,3o m.
10. Horsepower 3.000 shp. 11. Maximum Speed 15 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ).
    Other
13. Date Built 1973
14. Number and Nationality of Personnel 63:29 Portug., 34 German
    Officers 8 Crew 55 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X)
    Other
    International Radio Call Sign D E O U
    Radio Frequencies Monitored 500, 2182, KHz Channel 16
    Other Working Frequencies 2396, 3197, 3282, 425 KHz
    Schedule H O
16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ), Decca (X), Navaid ( ), Radar (X), Fathometer (X), Other
17. Cargo Capacity (MT): Salted Fish —, Fresh Fish —, Frozen Fish 900, Fish Meal 350, Other Fish Oil 75
18. Cargo Space: Freezer 1 Frozen Fish; Dry Hold 1 Fish Meal; Tanks 4 Fish Oil; Other
19. Processing Equipment (Indicate daily capacity,MT): 1 Header Baader 412, 3 Filleters Baader 33, 1 Baader Fillester each Nr. 99, 15o, 181,38,33B; 2 Skinning machines Baader 46, 6 Skinning machines Baader 47, 1 Bones Seperator Baader 694, 1o Vertical freezers Stal Aatra, Fishmeal plant Scholterbone, 2 Oil Seperators Westphalia, Processing capacity per day 3o t frozen fish, 1o t fish meal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5B+6	15.8.-3o.9.77	Herring	1184	Bottom Trawl / Midwater Trawl
5+6	15.6.-15.9.77	Loligo	125	Midwater Trawl
5+6	1.1o.-31.12.77	Mackerel	276	Midwater Trawl
5+6	1.6.-15.9.77	Illex upto 145		Bottom Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States: Elliot Shipping Co., Ship Agent, 47-49 Parker Street, P.O.Box 1186, Gloucester, Massachusetts 01930

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0003

Permit Period Applied For: 1977 — Application No. For Use of Issuing Office

State: Federal Republic of Germany

1. Name of Vessel: Bremen
2. Vessel No.: Hull No. BX 741 — Registration No. 744
3. Name and Address of Owner: Name: Hochseefischerei GmbH; Address: Klußmannstrasse, 2850 Bremerhaven; Cable Address: Nordsee
   Name and Address of Charterer:
4. Homeport and State of Registry: Bremerhaven, FR Germany
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross): 3181 (Net): 1359,3
7. Length: 91,98 m. 8. Breadth: 15,02 m. 9. Draft: 7 m.
10. Horsepower: 3.000 shp. 11. Maximum Speed: 15 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other:
13. Date Built: 1977 — 63: 24 Portug., 1 Guyanese,
14. Number and Nationality of Personnel: 1 stateless, 37 German
    Officers: 8 Crew: 55 Other (Specify):
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy (X),
    Other:
    International Radio Call Sign: DFCX
    Radio Frequencies Monitored: 500, 2182 KHz, Channel 16
    Other Working Frequencies: 2396, 3197, 3282, 425 KHz
    Schedule: H H

16. Navigation Equipment: Loran C ( ), Loran A (X), Omega ( ),
    Decca (X), Navsat ( ), Radar (X), Fathometer (X),
    Other:
17. Cargo Capacity (MT): Salted Fish —; Fresh Fish —; Frozen Fish 900; Fish Meal 350; Other: Fish Oil 75
    18. Cargo Space: Number / Name
    Freezer 1 Frozen Fish
    Dry Hold 1 Fish Meal
    Tanks 4 Fish Oil
    Other
19. Processing Equipment (Indicate daily capacity,MT)
    1 Header Baader 417, 3 Filleters Baader 33, 1 Baader Filleter each Nr. 99, 150, 181, 30, 338, 3 Skinning machines Baader 46, 6 Skinning machines B 47, 1 Bones Seperator Baader 694, 10 Vertical Freezers Stal Astra, Processing Capacity 30 to frozen fish per day, Fishmeal plant Schlotterhose 50 t raw material per day, 2 Oil Seperators Westphalia
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 Z + 6	15.8.-30.9.77	Herring	1184	Bottom Trawl
5 + 6	15.6.-15.9.77	Loligo	499	Midwater Trawl
5 + 6	1.10.-31.12.77	Mackerel	276	Midwater Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States: Elliot Shipping Co., Ship Agent, 47 - 49 Parker Street, P.O.Box 1189, Gloucester, Massachusetts, 01930

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0004

Permit Period Applied For: 1977 — Application No. For Use of Issuing Office

State: Federal Republic of Germany

1. Name of Vessel: Mainz
2. Vessel No.: Hull No. BC 100 — Registration No. 722
3. Name and Address of Owner: Name: "Nordsee" Deutsche Hochseefischerei GmbH; Address: Klußmannstrasse, 2850 Bremerhaven; Cable Address: Nordsee
   Name and Address of Charterer:
4. Homeport and State of Registry: Cuxhaven FR Germany
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross): 3181 (Net): 1359,3
7. Length: 91,98 m. 8. Breadth: 15,02 m. 9. Draft: 6,20 m.
10. Horsepower: 3.000 shp. 11. Maximum Speed: 15 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other:
13. Date Built: 1973 — 63: 33 Portug., 3o Germ.
14. Number and Nationality of Personnel:
    Officers: 8 Crew: 55 Other (Specify):
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X),
    Other: DFCA
    International Radio Call Sign: 500, 2182 KHz, Channel 16
    Radio Frequencies Monitored: 2396, 3197, 3282 KHz
    Other Working Frequencies: H H
    Schedule:

16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ),
    Decca (X), Navsat ( ), Radar (X), Fathometer (X),
    Other:
17. Cargo Capacity (MT): Salted Fish —; Fresh Fish —; Frozen Fish 900; Fish Meal 350; Other: Fish Oil 75
    18. Cargo Space: Number / Name
    Freezer 1 Frozen Fish
    Dry Hold 1 Fish Meal
    Tanks 4 Fish Oil
    Other
19. Processing Equipment (Indicate daily capacity,MT)
    1 Header Baader 417, 4 Filleters Baader 33, 1 Baader Filleter each Nr. 99, 150, 181, 30, 338, 3 Skinning machines Baader 46, 6 Skinning machines B 47, 1 Bones Seperator Baader 694, 10 Vertical Freezers Stal Astra, Fishmeal plant Schlotterhose, 2 Oil Seperators Westphalia.
    Processing Capacity per day 30 to frozen fish, 10 to fish meal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 Z + 6	15.8.-30.9.77	Herring	1184	Bottom Trawl
5 + 6	15.6.-15.9.77	Loligo	499	Midwater Trawl
5 + 6	1.10.-31.12.77	Mackerel	276	Midwater Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States: Elliot Shipping Co., Ship Agent, 47-49 Parker Street, P.O.Box 1189, Gloucester, Massachusetts, 01930

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0005

Permit Period Applied For: 1977 Application No. For Use of Issuing Office

State: Federal Republic of Germany

1. Name of Vessel Kiel
2. Vessel No.: Hull No. HX 749 Registration No. 753
3. Name and Address of Owner: "Nordsee" Deutsche Hochseefischerei GmbH, Klußmannstrasse, 2850 Bremerhaven. Cable Address: Nordsee
   Name and Address of Charterer:
4. Homeport and State of Registry: Bremerhaven FR Germany
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross) 3181 (Net) 1354.3
7. Length 81.58 m. 8. Breadth 15.02 m. 9. Draft: 6.70 m.
10. Horsepower 3000 shp. 11. Maximum Speed 15 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1973
14. Number and Nationality of Personnel: 63:29 Portug., 1 Austrian, 33 German
    Officers 8 Crew 55 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X), Other
    International Radio Call Sign DEOF
    Radio Frequencies Monitored 500, 2182 KHz
    Other Working Frequencies 2396, 2197, 3282 KHz
    Schedule H 8
16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ), Decca (X), Navaid ( ), Radar (X), Fathometer (X), Other
17. Cargo Capacity (MT): Salted Fish /, Fresh Fish -, Frozen Fish 900, Fish Meal 350, Other Fish Oil 75
18. Cargo Space: Freezer, Dry Hold, Tanks, Other

Number	Name
1	Frozen Fish
1	Fish Meal
4	Fish Oil

19. Processing Equipment (Indicate daily capacity,MT)
    1 Header Baader 412, 4 Filleters Baader 33, 1 Baader Filleter wac NC 99, 150, 181, 38, 138, 3 Skinning machines Baader 86, 6 Skinning machines Baader 47, 1 Bones Seperator Baader 694, 1o Vertical Freezers Stal Astra, Fish meal plant Schlotterhose, 3 Oil Seperators Westphalia,
    Processing capacity per day 3o to frozen fish, 1o to fish meal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
52 + 6	15.8.-3o.9.77	Herring	1184	Bottom Trawl
5 + 6	15.6.-15.9.77	Loligo	385	Midwater Trawl
5 + 6	1.1o.-31.12.77	Mackerel	276	Midwater Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliot Shipping Co., Ship Agent, 47-49 Parker Street, P.O.Box 1189, Gloucester Massachusetts 01930

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0006

Permit Period Applied For: Application No. For Use of Issuing Office

State:

1. Name of Vessel Karlsburg
2. Vessel No.: Hull No. HX 742 Registration No. VDR 743
3. Name and Address of Owner: Reederei Stahle, 2850 Bremerhaven, Am Speicher 11, Cable Address: Fischhansaat, Bremerhaven
   Name and Address of Charterer:
4. Homeport and State of Registry: Bremerhaven/Fed.Rep. of Germ.
5. Type of Vessel
6. Tonnage (Gross) 3.576.87 (Net) 1.o6o.52
7. Length 84.85 M. 8. Breadth 15.84 M. 9. Draft 7.oo M.
10. Horsepower 5.ooo shp. 11. Maximum Speed 16.o kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1972
14. Number and Nationality of Personnel: German(35) and Portuguese(25)
    Officers 8 Crew 52 Other (Specify)
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X), Other
    International Radio Call Sign DFCW
    Radio Frequencies Monitored Ch 5oo and 16/2182 Khz
    Other Working Frequencies 2396,3197,3282,425
    Schedule H 8
16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ), Decca (X), Navaid ( ), Radar (X), Fathometer ( ), Other
17. Cargo Capacity (MT): Salted Fish -, Fresh Fish, Frozen Fish 94o metric tons, Fish Meal 35o " ", Other Fishoil: 7o tons
18. Cargo Space: Freezer, Dry Hold, Tanks, Other

Number	Name
5	Jacketone vertical
3	Sabroe horizontal
1 hold frozen fish 1284 cbm	
4 fishoiltanks total 96 cbm	
1 fishmeal hold 7oo cbm	

19. Processing Equipment (Indicate daily capacity,MT)
    4 Baader machines whitefish fillatting, 1 Baader Redfish 3 Baader herring fillets, 1 boading machine, 5 skinning machines, 1 fishmeal plant, 1 Fishoil plant
    daily capacity: 3o tons frozen fish and 1o tons fishmeal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 2/6 + 5/6	15.8.-3o.9.77	Herring	452	midwater trawl
5/6	+ 15.6.-15.9.77 1.1o.-31.12.77	Loligo	1oo	midwater trawl and bottom trawl
5/6	+ 1.1o.31.12.77	Mackerel	1o5	midwater trawl
5/6	+ 15.6.-15.9.77 1.1o.-31.12.77	Illex upto	5oo	bottom trawl and midwater trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliott Stevedoring Inc.
    47-49 Parker Street, Gloucester/Mass. 01930
    Telex 0940327 Telephone 617-281-17oo

Bremerhaven, December 17, 1976 Reederei Stahle

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

ec(GE)-77-0007

Permit Period Applied For: _____ Application No. For Use of Issuing Office _____

State: _____

1. Name of Vessel Geeste
2. Vessel No.: Hull No. BX 738 Registration No. CSR 750
3. Name and Address of Owner / Name and Address of Charterer
   Name: Rederei Söhle
   Address: 2850 Bremerhaven
   Am Seedeich 11
   Cable Address: Fischhafenst Bremerhaven
4. Homeport and State of Registry: Bremerhaven/Fed.Rep.of Germany
5. Type of Vessel _____
6. Tonnage (Gross) 3.578,67 (Net) 1.586,52
7. Length 94,95 M. 8. Breadth 15,84 M. 9. Draft 7,00 M.
10. Horsepower 5.000 shp. 11. Maximum Speed 16,0 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1973
14. Number and Nationality of Personnel German(35) and Portuguese(25)
    Officers 8 Crew 52 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X), Other _____
    International Radio Call Sign DENX
    Radio Frequencies Monitored Kc 500 and 16/2182 Khz
    Other Working Frequencies 2295, 2197, 3282, 425
    Schedule H F

Geeste

ec(GE)-77-0007

16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ), Decca (X), Navaid ( ), Radar (X), Fathometer ( ), Other _____
17. Cargo Capacity (MT)

Salted Fish	_____	Freezer	5 Jackstone vertical 3 Sabroe horizontal
Fresh Fish	_____	Dry Hold	1 hold frozen fish 1294 cbm
Frozen Fish	940 metric tons	Tanks	4 fishoil tanks total 96 cbm
Fish Meal	350 " "	Other	1 fishmeal hold 700 cbm
Other	fishoil: 70 mt		

18. Cargo Space

Number	Name
5	Jackstone vertical
3	Sabroe horizontal
1	hold frozen fish 1294 cbm
4	fishoiltanks total 96 cbm
1	fishmeal hold 700 cbm

19. Processing Equipment (Indicate daily capacity,MT)
    4 Baader machines whitefish filletting, 1 Baader Redfish
    3 Baader herring fillets, 1 heading machine, 9 skinning machines, 1 fishmeal plant, 1 fishoil plant
    daily capacity: 30 tons frozen fish and 10 tons fishmeal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 Z/6	15.6.-30.9.77	Herring	452	midwater trawl
5/6	15.6.-15.9.77 1.10.-31.12.77	Loligo	100	midwater trawl and bottom trawl
5/6	1.10.-31.12.77	Mackerel	105	midwater trawl
5/6	15.6.-15.9.77 1.10.-31.12.77	Illex up to	500	bottom trawl and midwater trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliott Stevedoring Inc.
    47-49 Parker Street, Gloucester/Mass. 01930
    Telex 094o727 Telephone 617-281-17co

Bremerhaven, December 17, 1976 Rederei Söhle

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

ec(GE)-77-0008

Permit Period Applied For: _____ Application No. For Use of Issuing Office _____

State: _____

1. Name of Vessel Johann Dietrich Broelemann
2. Vessel No.: Hull No. BX 750 Registration No. CSR 761
3. Name and Address of Owner / Name and Address of Charterer
   Name: Rederei Söhle
   Address: 2850 Bremerhaven
   Am Seedeich 11
   Cable Address: Fischhafenst Bremerhaven
4. Homeport and State of Registry: Bremerhaven/Fed.Rep.ofGerm.
5. Type of Vessel _____
6. Tonnage (Gross) 3.578,67 (Net) 1.586,52
7. Length 94,95 M. 8. Breadth 15,84 M. 9. Draft 7,00 M.
10. Horsepower 5.000 shp. 11. Maximum Speed 16,0 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1973
14. Number and Nationality of Personnel German(35) and Portuguese(25)
    Officers 8 Crew 52 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X), Other _____
    International Radio Call Sign DEQW
    Radio Frequencies Monitored Kc 500, 16/2182 Khz
    Other Working Frequencies 2398,3197,3282,425
    Schedule H F

ec(GE)-77-0008

16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ), Decca (X), Navaid ( ), Radar (X), Fathometer ( ), Other /
17. Cargo Capacity (MT)

Salted Fish	/	Freezer	5 Jackstone vertical 3 Sabroe horizontal
Fresh Fish	/	Dry Hold	1 hold frozen fish 1294 cbm
Frozen Fish	940	Tanks	4 fishoiltanks total 96 cbm
Fish Meal	350	Other	1 fishmeal hold 700 cbm
Other	fishoil:70		

18. Cargo Space

Number	Name
5	Jackstone vertical
3	Sabroe horizontal
1	hold frozen fish 1294 cbm
4	fishoiltanks total 96 cbm
1	fishmeal hold 700 cbm

19. Processing Equipment (Indicate daily capacity,MT)
    4 Baader machines whitefish filletting,1 Baader Redfish
    3 Baader herring fillets, 1 heading machine,9 skinning machines, 1 fishmeal plant, 1 fishoil plant
    daily capacity: 30 tons frozen fish and 10 tons fishmeal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 Z/6	15.6.-30.9.77	Herring	452	midwater trawl
5/6	15.6.-15.9.77 1.10.-31.12.77	Loligo	100	midwater trawl and bottom trawl
5/6	1.10.31.12.77	Mackerel	105	midwater trawl
5/6	15.6.-15.9.77 1.10.-31.12.77	Illex upto	500	bottom trawl and midwater trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliott Stevedoring Inc.
    47 - 49 Parker Street, Gloucester / Mass. 01930
    Telex 0940727 Telephone 617 - 281 - 1700

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0009

Permit Period Applied For: _____ Application No. For Use of Issuing Office _____

State: _____

1. Name of Vessel Wesermünde
2. Vessel No.: Hull No. HX 755 Registration No. SGR 758
3. Name and Address of Owner / Name and Address of Charterer
   Name: Reederei SSAle
   Address: 2850 Bremerhaven
   An Seedeich 11
   Cable Address: _____
   Fischhafenamt Bremerhaven
4. Homeport and State of Registry: Bremerhaven/Fed.Rep. of Germ.
5. Type of Vessel Prod.-Tr.-Mar
6. Tonnage (Gross) 3.570,87 (Net) 1.560,52
7. Length 84,95 M. 8. Breadth 15,84 M. 9. Draft 7,00 M.
10. Horsepower 5.000 shp. 11. Maximum Speed 16,5 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ).
    Other _____
13. Date Built 1973
14. Number and Nationality of Personnel German(35)Portuguese(25)
    Officers 8 Crew 52 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X),
    Other _____
    International Radio Call Sign DEQD
    Radio Frequencies Monitored Ko Spec. HF/2182 Khz
    Other Working Frequencies 2396, 3197, 3282, 425
    Schedule H 8

Wesermünde

EC(GE)-77-0009

16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ),
    Decca (X), Navaid ( ), Radar (X), Fathometer ( ),
    Other _____
17. Cargo Capacity (MT)

Salted Fish	-	Freezer	5 Jackstone vertical 3 Sabroe horizontal
Fresh Fish	-	Dry Hold	1 hold frozen fish 1294 cbm
Frozen Fish	940 mt	Tanks	4 fishoil tanks total 96 cbm
Fish Meal	350 mt	Other	1 fishmeal hold 700 cbm
Other	fishoil 70 mt		

18. Cargo Space

Number	Name

19. Processing Equipment (Indicate daily capacity,MT)
    4 Baader machines whitefish fillatting, 1 Baader Redfish,
    3 Baader herring fillets, 1 heading machine, 3 skinning
    machines, 1 fishmeal plant, 1 fishoil plant
    daily capacity: 30 tons frozen fish and 12 tons fishmeal
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 2/6	15.8.-30.9.77	Herring	452	midwater trawl
5 / 8	15.8.-15.9.77 1.10.-31.12.77	Ledigo	100	midwater trawl and bottom trawl
5/6	1.10.-31.12.77	Mackerel	105	midwater trawl
5/6	15.8.-15.9.77 1.10.-31.12.77	Illex up to 500		bottom trawl and midwater trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliott Stevedoring Inc.
    47-49 Parker Street, Gloucester/Mass. 01930
    Telex 0940727 Telephone 617-281-1700

Bremerhaven, December 17, 1976 Reederei SSAle

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0010

Permit Period Applied For: _____ Application No. For Use of Issuing Office _____

State: _____

1. Name of Vessel "FRIEDRICH BUSSE"
2. Vessel No.: Hull No. 744 Registration No. SSR 748
3. Name and Address of Owner / Name and Address of Charterer
   Name: HOCHSEEFISCHEREI NORDSTERN AG.
   Address: 2850 BREMERHAVEN-F.
   Cable Address: NORDSTERN Telex: 238758 nstag-d
   BREMERHAVEN
4. Homeport and State of Registry: BREMERHAVEN/W.-GERMANY
5. Type of Vessel STERNTRAWLER
6. Tonnage (Gross) 3.183 (Net) 1.368
7. Length 86,87 M. 8. Breadth 15,02 M. 9. Draft 5,48 M.
10. Horsepower 3.600 shp. 11. Maximum Speed 15,5 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other _____
13. Date Built 1972
14. Number and Nationality of Personnel 35 GERMANS/30 PORTUGUESE
    Officers 8 Crew 57 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice (X), Telegraphy (X),
    Other SF MARC GENF 1974
    International Radio Call Sign DENR
    Radio Frequencies Monitored Channel 16/2182 KC/500 KC
    Other Working Frequencies VHF Channel 6/8/9/10/13/67/72/73/7 2396/3197/3282/3383/512/4NO/16A
    Schedule no fixed schedule

EC(GE)-77-0010

16. Navigation Equipment: Loran C (x), Loran A (x), Omega ( ),
    Decca (x), Navaid ( ), Radar (x), Fathometer (x),
    Other LOC, GIRO, DIRECTION-FINDER/AUTO-PILOT/ SONAR
17. Cargo Capacity (MT)

Salted Fish	-	Freezer	1
Fresh Fish	-	Dry Hold	1
Frozen Fish	appr. 850	Tanks	4
Fish Meal	appr. 250	Other	-
Other	Oil appr. 50		

18. Cargo Space

Number	Name
	Broken Fish
	Fishmeal
	Fishoil

19. Processing Equipment (Indicate daily capacity,MT)
    see encl.
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 2. 6	15.August/ 30.Sept.	HERRING	822	Midwater-Trawl
	1.Oktober/ 31.Decemb.	MACKEREL	191	Midwater-Trawl
By. 5/6	1.Nov./ 31.Decemb.	LOLIGO	183	BOTTOM-TRAWL
5/6	1.Nov./ 31.Decemb.	ILLEX	out of other	BOTTOM-TRAWL

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliott Shipping Corp. Gloucester/Mass.
    Phone: 281-1700
    Telex: 940727 (U.U.)

Bremerhaven, den 17.12.1976 Radvan (Manager)

FMS "FRIEDRICH BUSSE" BX 744 EC(GE)-77-0010

Processing equipment

For Whitefish	Number of Units	
BAADER 98	1	Whitefish-Filletting-Machine
BAADER 38	1	Whitefish-Filletting-Machine
BAADER 338	1	Whitefish-Filletting-Machine
BAADER 181	2	Whitefish-Filletting-Machine
BAADER 419	1	Whitefish-Heading-Machine
BAADER 46	2	Whitefish-Skinning-Machine
BAADER 47	9	Whitefish-Skinning-Machine
BAADER 694	1	BONES-SEPARATOR

For Herring		
BAADER 38	2	Herrings-Filletting-Machine
BAADER 33	1	Herrings-Filletting-Machine
HABIG-PRESSE	2	Fish-Block-Press
SABROE	6	Horizontal-Freezer
SCHLOTTERHOSE	1	Fishmeal-Plant
WESTFALIA	1	Fish-Oil-Separator

Daily Capacity: 30 to Whitefish-Fillets
or 30 to Herrings-Products
10 to Fishmeal

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0011

Permit Period Applied For: *
Application No.
For Use of Issuing Office

Status

1. Name of Vessel "REGULUS"
2. Vessel Radio Call No. BX 743 Registration No. SSB 246
3. Name and Address of Owner: Name Hochseefischerei; Address NORDSTERN AG, 2850 Bremerhaven - F.
Name and Address of Charterer
Cable Address NORDSTERN Bremerhaven Tx.: 238750 nstag-d
4. Homeport and State of Registry: Bremerhaven/W.Germany
5. Type of Vessel Sterntrawler
6. Tonnage (Gross) 3.183 (Net) 1.366
7. Length 86,87 m. B. Breadth 15,02 m. V. Draft 5,40 m.
10. Horsepower 3.000 shp. 11. Maximum Speed 15,5 kt.
12. Propulsion: Diesel (x), Steam ( ), Diesel/Electric ( ), Other
13. Date Built 1972
14. Number and Nationality of Personnel 35 Germans/30 Portuguese
Officers 8 Crew 57 Other (Specify)
15. Communications: VHF-FM (x), AM/SSB, Telex (x), Telegraphy (x), Other SH MARC GENF 1974
International Radio Call Sign DEOL
Radio Frequencies Monitored Channel 16/2182 kc/500 kc
Other Working Frequencies VHF Channel 6/8/9/10/11/12/13/14/15/16/17 2396/2197/2287/2363/517/4200/[illegible]
Schedule no fixed schedule

EC(GE)-77-0011

16. Navigation Equipment: Loran C (x), Loran A (x), Omega ( ), Decca (x), Navaid ( ), Radar (x), Fathometer (x), Other 1QC, GIBB, DIRECTION-FINDER / AUTO-PILOT/SONAR

17. Cargo Capacity (MT)		18. Cargo Space Number	Name
Salted Fish	-	Freezer 1	FISCH-HOLD
Fresh Fish	-	Dry Hold 1	FISHROOM
Frozen Fish	appr. 855	Tanks 4	FISHOIL
Fish Meal	appr. 250	Other -	-
Other Oil	appr. 60		

19. Processing Equipment (Indicate daily capacity,MT)
see encl.

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 Z, 6	15.August/ 30.Sept.	HERRING	822	MIDWATER-TRAWL
	1.Oct./ 31.Dec.	MACKEREL	191	MIDWATER-TRAWL
	1.Nov./31.Dec.	LOLIGO	183	BOTTOM-TRAWL
	1.Nov./31.Dec.	ILLEX	out of others	BOTTOM-TRAWL

21. Name and Address of Agent appointed to receive any legal Process issued in the United States:
ELLIOTT SHIPPING COMP., GLOUCESTER/ MASS.
PHONE: 281-1700
TELEX: 940727 (W.U.)

Bremerhaven, den 17.12.1976
Radvan (Manager)

FMS "REGULUS" BX 743 EC(GE)-77-00011

Processing equipment

For Whitefish		
BAADER 98	1	Whitefish-Filletting-Machine
BAADER 38	1	Whitefish-Filletting-Machine
BAADER 338	1	Whitefish-Filletting-Machine
BAADER 181	1	Whitefish-Filletting-Machine
BAADER 419	1	Whitefish-Heading-Machine
BAADER 46	2	Whitefish-Skinning-Machine
BAADER 47	7	Whitefish-Skinning-Machine
BAADER 694	1	BONES-SEPARATOR

For Herring		
BAADER 38	2	Herrings-Filletting-Machine
BAADER 33	1	Herrings-Filletting-Machine
HABIG-PRESSE	2	Fish-Blocks-Press
SABROE	6	Horizontal-Freezer
SCHLOTTERHOSE	1	FISHMEAL-PLANT
WESTFALIA	1	FISH-OIL-SEPARATOR

Daily Capacity: 30 to Whitefish-Fillets
or 30 to Herrings-Products
10 to Fishmeal

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0012

Permit Period Applied For: 1 Application No. For Use of Issuing Office

State:

1. Name of Vessel "SCOMBRUS"
2. Vessel No.: Hull No. HH 350 Registration No. 12095
3. Name and Address of Owner: FMS "SCOMBRUS" Fischfang GmbH
   Name
   Address: Fischereihafen, Ausrüstungskai 6
   2000 Hamburg 50
   Cable Address: Fischfisch - Hamburg
   Name and Address of Charterer
4. Homeport and State of Registry: Hamburg F.R.Germ.
5. Type of Vessel: Factory-Trawler
6. Tonnage (Gross): 1,995.01 (Net): 833.42
7. Length: 80.95 M. 8. Breadth: 14.63 M. 9. Draft: 5.3 M.
10. Horsepower: 3.000 shp. 11. Maximum Speed: 16 kt.
11. Propulsion: Diesel ( ), Steam ( ), Diesel/Electric ( ).
    Other
13. Date Built: 12/75
14. Number and Nationality of Personnel: 57 F.R.G/Portug
    Officers: 8 Crew: 22 Other (Specify): 27
15. Communications: VHF-FM ( ), AM/SSB, Voice (X), Telegraphy ( ).
    Other
    International Radio Call Sign: DHFS
    Radio Frequencies Monitored: ALL Channel 16/2182 kc/500 kc
    Other Working Frequencies: VHF Channel 6/8/9/10/13/ /77
    ALL 2334/2191/2091/ /65
    Schedule: ALL no fixed Schedule ( )

EC(GE)-77-0012

16. Navigation Equipment: Loran C ( ), Loran A (x), Omega ( ),
    Decca ( ), Navaid ( ), Radar (x), Fathometer ( ),
    Other: Radio Direction Finder
17. Cargo Capacity (MT)

Salted Fish		Freezer	1 + 2
Fresh Fish		Dry Hold	1
Frozen Fish	720	Tanks	19
Fish Meal	250	Other	
Other: Fishoil	140		

18. Cargo Space

Number	Name
Freezer 1 + 2	Deep Freeze Hold
Dry Hold 1	Fish-Meal-Hold
Tanks 19	Fuel, Fishoil, Water

19. Processing Equipment (Indicate daily capacity,MT)
    2x "Baader 160 ")
    3 x "Baader 33")
    3 x "Baader 188") 22 MT
    4 Horizontal Plate Freezers 10/24 h
    Fish-Meal-Plant 50/24 h
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 Z, 6	15.August/ 30.Sept.	Herring	316	Midwater Trawl
	1.Oct./ 31.Dec.	Makrele Pollock Squid	73	Midwater-Trawl Bottom Trawl
1.Nov./31.Dec.		Lolige	70	Bottom-Trawl/Midwater-Trawl
1.Nov./31.Dec.		Heringe	34	Bottom-Trawl/Midwater-Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliot Shipping Co. Rowe Square P.O.Box 1189
    Gloucester / Mass. 01930 / USA

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0013

Permit Period Applied For: 1 Application No. For Use of Issuing Office

State:

1. Name of Vessel "HARENGUS"
2. Vessel No.: Hull No. HH 336 Registration No. 11679
3. Name and Address of Owner: Fischereihafen, Ausrüstungskai 6
   Name "HARENGUS"
   Address 2000 Hamburg 50
   Cable Address Pakfisch-Hamburg
   Name and Address of Charterer
4. Homeport and State of Registry: Hamburg F.R.G.
5. Type of Vessel: Factory-Trawler
6. Tonnage (Gross): 1728 (Net): 771
7. Length: 80.5 M. 8. Breadth: 13.6 M. 9. Draft: 5.3 M.
10. Horsepower: 3500 shp. 11. Maximum Speed: 15 kt.
11. Propulsion: Diesel (x), Steam ( ), Diesel/Electric ( ),
    Other
13. Date Built: 8/ 72
14. Number and Nationality of Personnel: 54 F.R.G./Portug
    Officers: 8 Crew: 26 Other (Specify): 26
15. Communications: VHF-FM (x), AM/SSB, Voice (x), Telegraphy (x),
    Other
    International Radio Call Sign: DHID
    Radio Frequencies Monitored: All Channel 16/2182 kc/500 kc
    Other Working Frequencies: VHF Channel 6/8/9/10/13/ /77
    All 2334/2191/2091/ /65
    Schedule: All no fixed schedule 84

EC(GE)-77-0013

16. Navigation Equipment: Loran C ( ), Loran A (x), Omega ( ),
    Decca ( ), Navaid ( ), Radar (x), Fathometer ( ),
    Other: Radio Direction Finder
17. Cargo Capacity (MT)

Salted Fish		Freezer	1
Fresh Fish		Dry Hold	1
Frozen Fish	820	Tanks	19
Fish Meal	175	Other	
Other: Fish Oil	80		

18. Cargo Space

Number	Name
Freezer 1	Deep Freeze Hold
Dry Hold 1	Fish-Meal-Hold
Tanks 19	Fuel, Fishoil, Water

19. Processing Equipment (Indicate daily capacity,MT)
    1 x "Baader 412)
    3 x "Baader 33) 20
    2 x "Baader 188)
    6 x Horizontal Plate Freezers 8 each
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 Z, 6	15.August/ 30.Sept.	Herring	316	Mid Water Trawl
	1.Oct./ 31.Dec.	Mackarels Pollock Squid	73	Midwater-Trawl Bottom Trawl
1.Nov./31.Dec.	8/1-9/15	Lolige	70	Bottom-Trawl/Midwater-Trawl
1.Nov./31.Dec.	8/1-9/15	Iler	34	Bottom-Trawl/Midwater-Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Elliot Shipping Co. Rowe Square , P. O. Box 1189
    Gloucester / Mass. 01930 / USA

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(GE)-77-0014

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office

State: _____

1. Name of Vessel "JULIUS FOCK"
2. Vessel No.: Hull No. 404 333 Registration No. 11 197
3. Name and Address of Owner: Name Hans Fischerpack Reederei KG; Address Fischereihafen, Ausrüstungskai 6, 2000 Hamburg; Cable Address _____
   Name and Address of Charterer: _____
4. Homeport and State of Registry: Hamburg / F.R.G.
5. Type of Vessel Factory Trawler
6. Tonnage (Gross) 1.568 (Net) 726
7. Length 80.5 M. 8. Breadth 13.6 M. 9. Draft 5.3 M.
10. Horsepower 2260 shp. 11. Maximum Speed 14 kt.
11. Propulsion: Diesel (x), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 4/69
14. Number and Nationality of Personnel 52 F.R.G / Portug.
    Officers 8 Crew 22 Other (Specify) 22
15. Communications: VHF-FM (x), AM/SSB, Voice (x), Telegraphy (x) Other _____
    International Radio Call Sign D I E G DEOL
    Radio Frequencies Monitored All Channel 16/2182 kc/s 60
    Other Working Frequencies All [illegible] 737 [illegible] 160
    Schedule All "no fixed schedule" 5)

EC(GE)-77-0014

16. Navigation Equipment: Loran C ( ), Loran A (x), Omega ( ), Decca (x), Navcat ( ), Radar ( ), Fathometer (x), Other Rud. Dir. Finder
17. Cargo Capacity (MT)

Salted Fish		Freezer 2	Deep Freeze Hold
Fresh Fish		Dry Hold 1	Fish-Meal-Hold
Frozen Fish	810	Tanks 19	Fuel, Fish-Oil, Water
Fish Meal	175	Other	
Other Fish Oil	80		

18. Cargo Space

Number	Name
2	Deep Freeze Hold
1	Fish-Meal-Hold
19	Fuel, Fish-Oil, Water

19. Processing Equipment (Indicate daily capacity,MT)

3 x "Baader 35")	
2 x "Baader 186")	
1 x "Baader 181 ")	18
1 x "Baader 417 ")	
1 x "Baader 99")	
2 Horizontal Plate Freezers	15
Fish Meal Plant	33

20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 2 6	15.8.-30.9.	Herring	300	Mid Water Trawl
	1.10.-31.12.	Mackarels	75	Midwater-Trawl
		Pollock		Bottom Trawl
		Squid		
	1.11.-31.12./1.1.-31.12.	Loligo	70	Bottom-Trawl/Midwater-Trawl
	1.11.-31.12./1.1.-31.12.	Illex	54	Bottom-Trawl/Midwater-Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States: Elliot Shipping Co., Rowe Square, P.O. Box 1189, Gloucester / Mass. 01930 / USA

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(FR)-77-0001

Permit Period Applied For: 15 Oct 1977 Application No. _____ For Use of Issuing Office

State: France

1. Name of Vessel CAPITAINE FLEVEN
2. Vessel No.: Hull No. N.M./199077/N Registration No. 11.108/1060
3. Name and Address of Owner: Name Societe anonyme Pecheries FLEVEN; Address 6 Boulevard de la Republique, 35400 ST-MALO; Cable Address FLEVEN St-Malo
   Name and Address of Charterer: LE BORGNE Fernand; 6 Bd de la Republique, 35400 SAINT-MALO
4. Homeport and State of Registry: SAINT-MALO FRANCE
5. Type of Vessel Stern-rigged trawler
6. Tonnage (Gross) 2413 (Net) 1051,72
7. Length 81,60 M. 8. Breadth 15,02 M. 9. Draft 6,20 M.
10. Horsepower 4000 shp. 11. Maximum Speed 14 Noeuds kt.
11. Propulsion: Diesel ( ), Steam ( ), Diesel/Electric ( ), Other Diesel
13. Date Built 1973
14. Number and Nationality of Personnel 58
    Officers 9 Crew 49 Other (Specify) 0
15. Communications: VHF-FM ( ), AM/SSB, Voice ( ), Telegraphy ( ),
    International Radio Cal. Sign Main Call Sign ST 1400 C
    Radio Frequencies Monitored Emergency Frequency B L U 1232
    Other Working Frequencies Receiver DRAKE SRT PLESSEY PR 155
    Schedule _____

EC(FA)-77-0001

16. Navigation Equipment: Loran C (), Loran A ( ), Omega ( ), Decca (1), Navcat ( ), Radar (2), Fathometer ( ), Other _____
17. Cargo Capacity (MT)

Salted Fish	322 m3	Freezer	4 JACKSTONE vertical-plate freezers
Fresh Fish		Dry Hold	4 FARBOT horizontal-plate freezers
Frozen Fish	1310 m3	Tanks	
Fish Meal	350 m3	Other	
Other			

18. Cargo Space

Number	Name
4	JACKSTONE vertical-plate freezers
4	FARBOT horizontal-plate freezers

19. Processing Equipment (Indicate daily capacity,MT)
    2 Bader 38 (filet makers) 10t 1 Bader 109 K (filet makers) 10 T
    1 Bader 338 (" ") 15 T 7 Bader 47 (scaling machine) 10 T
    1 Bader415 (machine to remove heads)
    3 Bader 34 (" ") 12 T 1 (fish meal maker) 4 T
    1 Bader 440 (machine to cut fish steaks) 10 T
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
5 2 + 6	1 September 15 October	Herring Other species	1.000 T 200 T	Midwater Trawl

21. Name and Address of Agent appointed to receive any legal process issued in the United States: Monsieur ELLIOT Rowe Square, P. O. Box 1189 GLOUCESTER, MASSACHUSETTS 01930 U.S.A.

IRLANDE

THE UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

APPLICATION FOR VESSEL PERMITS TO FISH WITHIN THE FISHERY CONSERVATION ZONE OF THE UNITED STATES, OR FOR ANADROMOUS SPECIES OR CONTINENTAL SHELF FISHERY RESOURCES

EC(EI)-77-0001

DATE _____ APPLICATION NO. _____ for use of issuing Officer

In accordance with the provision of Section 204 of the Fishery Conservation and Management Act of 1976, (16 U.S.C. 1801-1382), and the governing international fisheries agreement entered into with the Government of the United States of America, which entered into force on _____ (date), the government (or competent authority) of IRELAND hereby submits this application for permits for fishing vessels under its jurisdiction to fish within the fishery conservation zone of the United States, or beyond that zone for anadromous species or Continental Shelf fishery resources subject to the jurisdiction of the United States.

The following information is submitted in support of this application (Use additional sheets as required).

A completed Fishing Vessel Identification Form for each permit that is requested; and a compilation of data contained in questions 9 and 20 in the attached Fishing Vessel Identification Form.

Submitted _____ (Date)

_____ Signature of Authorized Official

_____ Title

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(EI)-77-0001

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office

State: _____

1. Name of Vessel ERIN FISHER
2. Vessel Nat. Roll No. C54 Registration No. 401393
3. Name and Address of Owner: Name: ATLANTIC FISHERIES DEVELOPMENT COMPANY LTD. Address: 6 PRINCES STREET, CORK IRELAND. Cable Address: AFCO CORK
   Name and Address of Charterer: NONE
4. Homeport and State of Registry: CORK IRELAND
5. Type of Vessel STERN TRAWLER
6. Tonnage (Gross) 1921.46 (Net) 1139.83
7. Length 79.70 M. 8. Breadth 13.51 M. 9. Draft 8.504 M.
10. Horsepower 2950 shp. 11. Maximum Speed 15.50 kt. on full trial
12. Propulsion: Diesel (✓), Steam ( ), Diesel/Electric ( ). VERTICAL INTERNAL COMBUSTION. Other _____
13. Date Built 30 APRIL 1965
14. Number and Nationality of Personnel: IRISH 28; BRITISH; FAROESE 27. Officers 11 Crew 43 Other (Specify) NONE
15. Communications: VHF-FM ( ), AM/SSB, Voice ( ), Telegraphy ( ), (See DETAILS ATTACHED). Other _____
    International Radio Call Sign EI GB
    Radio Frequencies Monitored 2182 U.S. COASTGUARD CALLED DAILY
    Other Working Frequencies NONE
    Schedule NONE

EC(EI)-77-0001

16. Navigation Equipment: Loran C (✓), Loran A (✓), Omega (✓), Decca (✓), Navaid (✓), Radar (✓), Fathometer (✓), Also Sonar. Other DIRECTION FINDER; ECHO SOUNDER; DEPTH RECORDER
17. Cargo Capacity (MT)
    Salted Fish NIL
    Fresh Fish NIL
    Frozen Fish 1200 MT
    Fish Meal NIL
    Other NIL
18. Cargo Space Number / Capacity (cubic): Freezer Hold No. 1 and No. 2 = 120 TONS; ~~Dry Hold~~; ~~Tanks~~; ~~Other~~
19. Processing Equipment (Indicate daily capacity, MT)
    HEADERS: 2 - CAPACITY 45 TONNES PER DAY
    FLASH FREEZERS: 15 CONTACT PLATE FREEZERS - CAPACITY 65 m/t/24
    FILLETERS: NIL; FISHMEAL PLANTS: NIL;
    FISH OIL PLANTS: NIL
20. Fisheries for which Permit is Requested: ~~TO GO FORWARD~~

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Year to be Used
AS PER ATTACHED LIST				

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    MR J. HIGGINS
    c/o KIRLIN, CAMPBELL & KEATING
    120 BROADWAY, NEW YORK, N.Y. 10005

EC(EI)-77-0001

COMMUNICATIONS EQUIPMENT (ERIN FISHER)

VHF-FM (30-40 CHANNELS)

AM/SSB VOICE RADIOTELEPHONE TO VESSELS AND SHORE STATIONS

FREQUENCIES AND SIGNALS:-

A1 A4 COASTAL STATIONS - 410 kHz; 425 kHz; 454 kHz; 480 kHz; 500 kHz; 512 kHz

A3 CALLING VOICE U.K. only: 2003; 2182; 2211; 2631; 2391.

INTERCOMPANY 2044; 2054

A3J (27474-5; 27346-5; 27376-5)

MARKS ONLY: 1610; 2070; 2091; 4184; 4201; 4206; 4211; 4213-4; 4279; 4301-6; 4309; 4314-5; 4324; 8372; 8402; 8412; 8422; 8429; 12558; 12603; 12618; 12635; 12648; 14764; 14804; 14824; 14846; 14859; 22227-6; 22305; 22481; 22490; 22499.

EC(EI)-77-0001

2. para 20 fisheries for which permit is requested:-

ocean area	period	species	contemplated * catch m/t
icnaf 5/6	1/5/77 to 31/8/77 and 1/11/77 to 28/2/78	commonsquid (loligo)	1070
"	ditto	butterfish	420
"	1/8/77 to 31/5/77	short-finned squid (ilex)	1300
icnaf 5	1/9/77 to 10/10/77	herring	600
icnaf 5/6	1/5/77 to 28/2/78	silver hake, mackerel and haddock (as by-catch of other species above)	980

* based on actual catch for 1975.

gear to be used for all species: bottom trawl, possibly modified slightly.

TELEPHONE: (202) 387-5700

ITALIAN EMBASSY
COMMERCIAL OFFICE
2000 VIRGINIA AVENUE, N.W.
SUITE 612
WASHINGTON, D. C. 20037

CABLE ADDRESS: ITALCOM
TELEX: ITALCOM 64451

EC(IT)-77-0001 to 0008

IN REPLY REFER TO: AC/ 581

March 1, 1977

by hand right

Mr. Leo R. Schowengerdt
Fisheries & Law Enforcement Officer
of the U.S. Coast Guard
U.S. Department of State
Oceans & Fisheries Affairs
Washington, D.C.

Dear Mr. Schowengerdt:

You might have received by now, through the European Community, fishing permit applications duly filled out on "Fishing Vessel Identification Forms (Foreign)" by owners of Italian vessels.

However, if there should be some delay in the delivery of these documents, I am enclosing, on an informal basis, advance data which I just received from Rome, concerning the following vessels:

1 - Assunta Tontini Madre
2 - Tontini Pesca Terzo
3 - Tontini Pesca Quarto
4 - De Giosa T.
5 - Amerigo Bettino
6 - Sagitta
7 - Alvise
8 - Mascarotti Primo

Please do not hesitate to call on me if you feel that we can be of assistance.

Sincerely,

Antonio Badini
First Secretary

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(IT)-77-0001

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office

State: Italy (EEC)

1. Name of Vessel: Assunta Tontini Madre
2. Vessel No.: Hull No. _____ Registration No. 261
3. Name and Address of Owner / Name and Address of Charterer
   Name: Tontini Pesca / _____
   Address: Ancio, Italy / _____
   _____ / _____
   Cable Address: Tontini / _____
   Pesca - Ancio / _____
4. Homeport and State of Registry: Ancio
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross) 1,700 (Net) 1,100
7. Length 107.65 M. B. Breadth 16 M. D. Draft 6.5 M.
10. Horsepower 1000x0x1 shp. 11. Maximum Speed 11 kt.
11. Propulsion: Diesel (x), Steam ( ), Diesel/Electric ( ).
    Other _____
13. Date Built: 1970
14. Number and Nationality of Personnel: 70
    Officers 10 Crew 60 Other (Specify) _____
15. Communications: VHF-FM (x), AM/SSB, Voice ( ), Telegraph ( ).
    Other _____
    International Radio Call Sign I.B.A.T.
    Radio Frequencies Monitored _____
    Other Working Frequencies: Frequency synthesizer
    Schedule _____

16. Navigation Equipment: Loran C (x), Loran A ( ), Omega ( ).
    Decca (x), Navar ( ), Radar (x), Fathometer (x),.
    Other _____
17. Cargo Capacity (MT) 18. Cargo Space: Number / Cubic
    Salted Fish _____ Freezer
    Fresh Fish _____ Dry Hold
    Frozen Fish 1,000 cu.mt. Tanks
    Fish Meal 5,000 cu.mt. Other
    Other _____
19. Processing Equipment (indicate daily capacity, MT)
    40 fish-minute
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	year 1977	Squid Butterfish Mackerel Other	600	Bottom Semipelagique Pelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    International Trading & Shipping Agency
    25 Broadway
    New York, N.Y.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(IT)-77-0002

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office _____

State: Italy (EEC)

1. Name of Vessel: Tontini Penca Terzo
2. Vessel No.: Hull No. _____ Registration No. 757
3. Name and Address of Owner: Name: Tontini Penca; Address: Anzio - Roma; Cable Address: Tontini Penca - Anzio
   Name and Address of Charterer: _____
4. Homeport and State of Registry: Anzio
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross) 1,244.69 (Net) 586.23
7. Length 73.15 M. 8. Breadth 12 M. 9. Draft 5.50 M.
10. Horsepower 2,400 shp. 11. Maximum Speed 11 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1969
14. Number and Nationality of Personnel 34
    Officers 0 Crew 28 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ), Other _____
    International Radio Call Sign I.I.X.D.
    Radio Frequencies Monitored _____
    Other Working Frequencies 2182
    Schedule _____

EC(IT)-77-0002

16. Navigation Equipment: Loran C (X), Loran A ( ), Omega ( ), Decca (X), Navsat ( ), Radar (X), Fathometer (X), Other _____
17. Cargo Capacity (MT): Salted Fish _____; Frozen Fish _____; Frozen Fish 600 tons; Fish Meal _____; Other _____
18. Cargo Space Number / Name: Freezer; Dry Hold; Tanks; Other
19. Processing Equipment (Indicate daily capacity, MT)
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	Year 1977	Squid Butterfish Mackarel Other	4/500	Bottom Semipelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    International Trading & Shipping Agency
    25 Broadway
    New York, N.Y.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(IT)-77-0003

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office _____

State: Italy (EEC)

1. Name of Vessel: Tontini Penca Quarto
2. Vessel No.: Hull No. _____ Registration No. 758
3. Name and Address of Owner: Name: Tontini Penca; Address: Anzio, Italy; Cable Address: Tontini Penca - Anzio
   Name and Address of Charterer: _____
4. Homeport and State of Registry: Anzio (Italy)
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross) 1,584.20 (Net) 831.24
7. Length 75.01 M. 8. Breadth 12.50 M. 9. Draft 5.80 M.
10. Horsepower 2,900 shp. 11. Maximum Speed 11 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ), Other _____
13. Date Built 1970
14. Number and Nationality of Personnel 38
    Officers 0 Crew 33 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ), Other _____
    International Radio Call Sign T.Y.A.Y.
    Radio Frequencies Monitored _____
    Other Working Frequencies 2182
    Schedule _____

EC(IT)-77-0003

16. Navigation Equipment: Loran C (X), Loran A ( ), Omega ( ), Decca (X), Navsat ( ), Radar (X), Fathometer (X), Other _____
17. Cargo Capacity (MT) 600
18. Cargo Space Number / Name: Freezer; Dry Hold: Negative; Tanks; Other
19. Processing Equipment (Indicate daily capacity, MT): Negative
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	Year 1977	Squid Butterfish Mackarel Other	400-500	Bottom Semipelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    International Trading & Shipping Agency
    25 Broadway
    New York, N.Y.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(IT)-77-0004

Permit Period Applied For: _____ Application No. 1 For Use of Issuing Office _____

State: Italy (EEC)

1. Name of Vessel De Gioia T.
2. Vessel No.: Hull No. _____ Registration No. 163
3. Name and Address of Owner / Name and Address of Charterer
   Name _____ / _____
   Address _____ / _____
   _____ / _____
   Cable Address Meridionalpesca / _____
   Bari (Italy) / _____
4. Homeport and State of Registry: Bari (Italy)
5. Type of Vessel Stern Trawler
6. Tonnage (Gross) 1,345 (Net) 590
7. Length 73.15 M. 8. Breadth 12.02 M. 9. Draft 4.44 M.
10. Horsepower 3,900 shp. 11. Maximum Speed 11 kt.
11. Propulsion: Diesel (x), Steam ( ), Diesel/Electric ( ).
    Other _____
13. Date Built 1970
14. Number and Nationality of Personnel 32
    Officers 6 Crew 26 Other (Specify) _____
15. Communications: VHF-FM (x), AM/SSB, Voice ( ), Telegraphy ( ).
    Other _____
    International Radio Call Sign I.K.F.T.
    Radio Frequencies Monitored _____
    Other Working Frequencies 2182
    Schedule _____

EC(IT)-77-0004

16. Navigation Equipment: Loran C (x), Loran A ( ), Omega (x),
    Decca ( ), Navsat ( ), Radar (x), Fathometer ( ),
    Other _____
17. Cargo Capacity (MT) / 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	650	Tanks	(Negative)
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity, MT)
    Negative
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	Year 1977	Squid Butterfish Mackarel Other	400-500	Bottom Semipelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Van Ommeren Shipping
    120 Broadway
    New York, N.Y.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(IT)-77-0005

Permit Period Applied For: _____ Application No. 1 For Use of Issuing Office _____

State: Italy (EEC)

1. Name of Vessel Amoroso Settimo
2. Vessel No.: Hull No. _____ Registration No. 179
3. Name and Address of Owner / Name and Address of Charterer
   Name _____ / _____
   Address _____ / _____
   _____ / _____
   Cable Address / _____
   Amopesca Bari (Italy) / _____
4. Homeport and State of Registry: Bari (Italy)
5. Type of Vessel Stern Trawler
6. Tonnage (Gross) 1,375 (Net) 680
7. Length 73.17 M. 8. Breadth 12.82 M. 9. Draft 4.20 M.
10. Horsepower 3,500 shp. 11. Maximum Speed 11 kt.
11. Propulsion: Diesel (x), Steam ( ), Diesel/Electric ( ).
    Other _____
13. Date Built 1971
14. Number and Nationality of Personnel 35
    Officers 6 Crew 29 Other (Specify) _____
15. Communications: VHF-FM (x), AM/SSB, Voice ( ), Telegraphy ( ),
    Other _____
    International Radio Call Sign I.K.A.H.
    Radio Frequencies Monitored _____
    Other Working Frequencies 2182
    Schedule _____

EC(IT)-77-000

16. Navigation Equipment: Loran C (x), Loran A ( ), Omega ( ),
    Decca (x), Navsat ( ), Radar (x), Fathometer (x),
    Other _____
17. Cargo Capacity (MT) / 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	600	Tanks	(Negative)
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity, MT)
    (Negative)
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	Year 1977	Squid Butterfish Mackarel Other	400-500	Bottom Semipelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Van Ommeren Shipping
    120 Broadway
    New York, N.Y.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(I+)-77-0006

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office

State: Italy (EEC)

1. Name of Vessel: Mascaretti Primo
2. Vessel No.: Hull No. _____ Registration No.: 568
3. Name and Address of Owner / Name and Address of Charterer
   Name: _____
   Address: _____
   Cable Address: Mascaretti Pesca
   San Benedetto del Tronto (Italy)
4. Homeport and State of Registry: San Benedetto del Tronto (Italy)
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross): 1,241 (Net): 580
7. Length: 71.16 M. B. Breadth: 12 M. D. Draft: 4.60 M.
10. Horsepower: 3,950 shp. 12. Maximum Speed: 11 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other _____
13. Date Built: 1970
14. Number and Nationality of Personnel: 32
    Officers: 7 Crew: 25 Other (Specify): _____
15. Communications: VHF-FM (X), AM/SSB, Telex ( ), Telegraphy ( ),
    Other _____
    International Radio Call Sign: I.K.M.A.
    Radio Frequencies Monitored _____
    Other Working Frequencies: 2477
    Schedule _____
16. Navigation Equipment: Loran C (X), Loran A (X), Omega ( ),
    Decca (X), Navsat ( ), Radar (X), Fathometer (X),
    Other _____
17. Cargo Capacity (MT) / 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	600	Tanks	(Negative)
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
    _____
    (Negative)
    _____
    _____
    _____
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	Year 1977	Squid Butterfish Mackarel Other	4/500	Bottom Semipelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    International Trading & Shipping Agency
    25 Broadway
    New York, N.Y.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(I+)-77-0007

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office

State: Italy (EEC)

1. Name of Vessel: Sagitta
2. Vessel No.: Hull No. _____ Registration No.: 112
3. Name and Address of Owner / Name and Address of Charterer
   Name: _____
   Address: _____
   Cable Address: Ittimar
   Portogaribaldi (Italy)
4. Homeport and State of Registry: San Benedetto del Tronto (Ita
5. Type of Vessel: Stern Trawler
6. Tonnage (Gross): 737.25 (Net): 148.33
7. Length: 66.96 M. B. Breadth: 9.62 M. D. Draft: 4.33 M.
10. Horsepower: 2,000 shp. 11. Maximum Speed: 11 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ),
    Other _____
13. Date Built: 1957
14. Number and Nationality of Personnel: 34
    Officers: 10 Crew: 24 Other (Specify): _____
15. Communications: VHF-FM (X), AM/SSB, Telex ( ), Telegraphy (
    Other _____
    International Radio Call Sign: I.W.O.R.
    Radio Frequencies Monitored _____
    Other Working Frequencies: 2477
    Schedule _____
16. Navigation Equipment: Loran C (X), Loran A ( ), Omega ( ),
    Decca ( ), Navsat ( ), Radar (X), Fathometer (X),
    Other _____
17. Cargo Capacity (MT) / 18. Cargo Space Number / Name

Salted Fish		Freezer	
Fresh Fish		Dry Hold	
Frozen Fish	370	Tanks	(Negative)
Fish Meal		Other	
Other			

19. Processing Equipment (Indicate daily capacity,MT)
    _____
    (Negative)
    _____
    _____
    _____
20. Fisheries for which Permit is Requested:

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	Year 1977	Squid Butterfish Mackarel Other	150/200	Bottom Semipelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    Van Ommeren Shipping
    120 Broadway
    New York, N.Y.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

EC(IT)-77-0001

Permit Period Applied For: _____ Application No. _____ For Use of Issuing Office

State: Italy (EEC)

1. Name of Vessel Airone
2. Vessel No.: Hull No. _____ Registration No. 749
3. Name and Address of Owner / Name and Address of Charterer
   Name: T.A.I.T., S.p.A.
   Address: Via Onorato 4
   Palermo (Italy)
   Cable Address: _____
4. Homeport and State of Registry: Palermo (Italy)
5. Type of Vessel Stern Trawler
6. Tonnage (Gross) 1,251.03 (Net) 538.19
7. Length 68.01 M. B. Breadth 11.52 M. 9. Draft 6.02 M.
10. Horsepower 1,700 shp. 11. Maximum Speed 11 kt.
11. Propulsion: Diesel (X), Steam ( ), Diesel/Electric ( ).
    Other _____
13. Date Built: 1969
14. Number and Nationality of Personnel 32
    Officers 10 Crew 22 Other (Specify) _____
15. Communications: VHF-FM (X), AM/SSB, Voice ( ), Telegraphy ( ).
    Other _____
    International Radio Call Sign I.J.M.B.
    Radio Frequencies Monitored _____
    Other Working Frequencies 2477
    Schedule _____

EC(IT)-77-0001

16. Navigation Equipment: Loran C (X), Loran A ( ), Omega ( ), Decca ( ), Sextant ( ), Radar (x), Fathometer (X),
    Other _____
17. Cargo Capacity (MT) / 18. Cargo Space Number / Gear
    Salted Fish _____ Freezer _____
    Fresh Fish _____ Raw Hold _____
    Frozen Fish 500 Tanks (Negative)
    Fish Meal _____ Other _____
    Other _____
19. Processing Equipment (Indicate with capacity, MT)
    (Negative)
20. Fisheries (for which Permit is requested):

Ocean Area	Period (From-To)	Species	Contemplated Catch (MT)	Gear to be Used
ICNAF 5+6	Year 1977	Squid Butterfish Mackerel Other	150/200	Bottom Semipelagique

21. Name and Address of Agent appointed to receive any legal process issued in the United States:
    International Trading & Shipping Agency
    30 Broadway
    New York, N.Y.

[FR Doc.77-6695 Filed 3-8-77;8:45 am]

federal register

WEDNESDAY, MARCH 9, 1977

PART V

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary and Office of Education

■

REORGANIZATION ORDERS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

HEALTH CARE FINANCING ADMINISTRATION ET AL.

Reorganization Order

Under the authority of section 6 of Reorganization Plan No. 1 of 1953 and pursuant to the authorities vested in me as Secretary of Health, Education, and Welfare, I hereby order organizational changes in the Department of Health, Education, and Welfare as follows:

I. ORGANIZATION

A. *Health Care Financing Administration.* The Health Care Financing Administration is established as a principal operating component of the Department. The following organizational units are transferred to the Health Care Financial Administration:

1. The Bureau of Health Insurance from the Social Security Administration.

2. The Medical Services Administration from the Social and Rehabilitation Service.

3. The Bureau of Quality Assurance from the Health Services Administration.

4. The Office of Long Term Care from the Office of the Assistant Secretary for Health.

5. The Regional Offices of Long Term Care Standards Enforcement from each of the ten Regional Offices.

6. Such other organizational units or portions thereof located in the Social Security Administration, the Social and Rehabilitation Service, the Office of the Assistant Secretary for Health and agencies of the Public Health Service, with responsibilities related to the administration of Medicare, Medicaid and supporting functions and services.

The Health Care Financing Administration shall be headed by an Administrator who shall report to the Secretary.

B. *Social Security Administration.* The following organizational units are transferred to the Social Security Administration:

1. The Assistance Payments Administration from the Social and Rehabilitation Service.

2. Such other organizational units or portions thereof located in the Social and Rehabilitation Service with responsibilities related to the administration of the Aid to Families with Dependent Children program and supporting functions and services.

C. *Office of Child Support Enforcement.* The Office of Child Support Enforcement, a separate unit the director of which is the Administrator, Social and Rehabilitation Service, shall remain a separate organizational unit, and the Commissioner of Social Security shall be its director.

D. *Office of the Assistant Secretary for Human Development.* The following organizational units are transferred to the Office of the Assistant Secretary for Human Development:

1. The Public Services Administration from the Social and Rehabilitation Service.

2. Such other organizational units and portions thereof located in the Social and Rehabilitation Service with responsibilities related to the administration of Child Welfare Services and Social Services programs and supporting functions and services.

E. *Office of the Assistant Secretary, Comptroller.* 1. The Office of the Assistant Secretary, Comptroller is redesignated as the Office of the Assistant Secretary, Management and Budget, and the following offices in the Office of the Assistant Secretary for Administration and Management are transferred to the Office of the Assistant Secretary, Management and Budget:

Office of Administration.
Office of Facilities Engineering and Property Management.
Office of Grants and Procurement Management.
Office of Management Planning and Technology.

2. The following organizational units in the Office of Personnel and Training within the Office of the Assistant Secretary for Administration and Management are transferred to the Office of the Assistant Secretary, Management and Budget:

Office of Personnel Management Information and Reports.
Division Central Payroll.

F. *Office of the Assistant Secretary for Administration and Management.* The Office of the Assistant Secretary for Administration and Management is redesignated as the Office of the Assistant Secretary for Personnel Administration.

G. *Social and Rehabilitation Service.* The Social and Rehabilitation Service is abolished effective upon the completion of the transfer of the organizational units referred to in Paragraphs A, B, and D above from the Social and Rehabilitation Service to the Health Care Financing Administration, the Social Security Administration and the Office of the Assistant Secretary for Human Development.

H. *Bureau of Student Financial Assistance, Office of Education.* By separate order, the Commissioner of Education is establishing in the Office of Education, the Bureau, of Student Financial Assistance, to which will be assigned programs administered by the Office of Guaranteed Student Loans and the Bureau of Postsecondary Education, and the Federal Program of Insured Loans to Graduate Students in Health Professions Schools referred to in Part IV of this Order.

II. CONTINUATION OF REGULATIONS

Except as inconsistent with this Reorganization Order, all regulations, rules, orders, statements of policy and interpretations with respect to the Social Security Administration, the Social and Rehabilitation Service, the Office of Child Support Enforcement, the Public Health Service and the Office of the Assistant Secretary for Administration and Management heretofore issued and in effect prior to the date of this Reorganization Order, or to become effective subsequent to said date, are continued in full force and effect. Except as inconsistent with this Reorganization Order, all regulations, rules, orders, statements of policy and interpretations relating to the Office of the Assistant Secretary, Comptroller and the Office of the Assistant Secretary for Administration and Management shall be continued in effect as applicable to the Office of the Assistant Secretary, Management and Budget and Office of the Assistant Secretary for Personnel Administration, respectively.

III. PRIOR STATEMENTS OF ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

A. To the extent inconsistent with this Reorganization Order, all previous statements of organization, functions and delegations of authority, as well as applicable present chapters of the Department's Organization Manual, are hereby superseded by this Reorganization Order, except that, pending further redelegations,

1. All delegations to (a) the Administrator, Social and Rehabilitation Service pertaining to the Medical Services Administration, (b) the Commissioner of Social Security pertaining to the Bureau of Health Insurance, (c) the Assistant Secretary for Health pertaining to the Buerau of Quality Assurance, the Office of Long Term Care and the Regional Offices of Long Term Care Standards Enforcement are vested in the Administrator, Health Care Financing Administration, with authority to redelegate, consistent with this Reorganization Order and the provisions of the respective delegations;

2. All delegations to the Administrator, Social and Rehabilitation Service pertaining to the Assistance Payments Administration are vested in the Commissioner of Social Security with authority to redelegate, consistent with this Reorganization Order and the provisions of the respective delegations;

3. All delegations to the Administrator, Social and Rehabilitation Service pertaining to the Public Services Administration are vested in the Assistant Secretary for Human Development, with authority to redelegate, consistent with this Reorganization Order and the provisions of the respective delegations; and

4. All delegations to the Assistant Secretary for Administration and Management pertaining to the Offices set forth in Paragraphs E.1 and 2 of Part I of this Reorganization Order are vested in the Assistant Secretary, Management and Budget, with authority to redelegate, consistent with this Reorganization Order and the provisions of the respective delegations.

B. All redelegations of authorities made by the Administrator, Social and Rehabilitation Service, the Commissioner of Social Security, the Assistant Secretary for Health and the Assistant Secretary for Administration and Management to the heads of the organizational units transferred by this Reorganization Order and to any other officer or employee of the Department of Health, Education, and Welfare and all further redelegations of such authorities in effect immediately prior to the effective date of this Reorganization Order shall con-

tinue in effect pending further redelegation.

IV. DELEGATION OF AUTHORITY

All authority vested in the Secretary by Section 401, P.L. 94-484 with respect to the Federal Program of Insured Loans to Graduate Students in Health Professions Schools is delegated through the Assistant Secretary for Education to the Commissioner of Education.

V. FUNDS, PERSONNEL, AND EQUIPMENT

Transfers of organizations and functions effected by this Order shall be accompanied in each instance by direct and supporting funds, positions, personnel, records, equipment, supplies and other resources.

Effective date: This Reorganization Order shall be effective March 8, 1977.

Dated: March 8, 1977.

JOSEPH A. CALIFANO, Jr.,
Secretary.

[FR Doc.77-7167 Filed 3-8-77;10:01 am]

Office of Education

BUREAU OF STUDENT FINANCIAL ASSISTANCE

Reorganization Order

Under the authority of section 421A of the General Education Provisions Act and as Commissioner of Education, I hereby order the following reorganization of the administration of student financial assistance programs:

I. ORGANIZATION

A. There is established in the Office of Education, the Bureau of Student Financial Assistance which shall be responsible for the administration of the student financial assistance programs listed in paragraphs B and C below.

B. The following organizational units are transferred to the Bureau of Student Financial Assistance:

1. From the Bureau of Postsecondary Education, the organizational units or portions thereof responsible for the administration of the following programs:

Basic Educational Opportunity Grants.
Supplemental Educational Opportunity Grants.
Grants to States for State Student Incentives.
Direct Loans to Students in Institutions of Higher Education.
Work-Study.
Cooperative Education.

2. The Office of Guaranteed Student Loans from the Office of Management.

3. Such other organizational units or portions thereof in the Bureau of Postsecondary Education and the Office of Management which provide administrative or other services to the programs listed in subparagraphs 1 and 2 above.

C. The Bureau of Student Financial Assistance shall also administer the Federal Program of Insured Loans to Graduate Students in Health Professions Schools. Authority to administer this program has been delegated to the Commissioner of Education through the Assistant Secretary for Education by the Secreary of Health, Education, and Welfare and redelegated this date to the Deputy Commissioner, Bureau of Student Financial Assistance.

D. The Bureau of Student Financial Assistance shall be headed by a Deputy Commissioner, who shall report to the Commissioner of Education.

II. CONTINUATION OF REGULATIONS

Except as inconsistent with this Reorganization Order, all regulations, rules, orders, statements of policy, and interpretations with respect to the programs transferred by this Reorganization Order heretofore issued and in effect prior to the date of this Reorganization Order, or to become effective subsequent to said date, are continued in full force and effect.

III. PRIOR STATEMENTS OF ORGANIZATION, FUNCTIONS AND DELEGATIONS OF AUTHORITY

To the extent inconsistent with this Reorganization Order, all previous statements of organization, functions, and delegations of authority are hereby superseded by this Reorganization Order, except that all delegations or redelegations to the Deputy Commissioner, Bureau of Postsecondary Education with respect to the programs set forth in Paragraph B.1. of Part I of this Reorganization Order and all delegations to the Associate Commissioner, Office of Guaranteed Student Loans are hereby vested in the Deputy Commissioner, Bureau of Student Financial Assistance, with authority to redelegate, consistent with this Reorganization Order and the provisions of the respective delegations.

All redelegations made by the Deputy Commissioner, Bureau of Postsecondary Education with respect to the programs set forth in Paragraph B.1. of Part I of this Reorganization Order and by the Associate Commissioner, Office of Guaranteed Student Loans in effect immediately prior to the effective date of this Reorganization Order shall continue in effect pending further redelegation.

IV. FUNDS, PERSONNEL, AND EQUIPMENT

Transfers of organizations and functions effected by this Order shall be accompanied in each instance by direct and supporting funds, positions, personnel, records, equipment, supplies, and other resources.

Effective date: This Reorganization Order shall be effective March 8, 1977.

Dated: March 7, 1977.

WILLIAM F. PIERCE,
Acting Commissioner of Education.

[FR Doc.77-7166 Filed 3-8-77;10:01 am]

DEPUTY COMMISSIONER, BUREAU OF STUDENT FINANCIAL ASSISTANCE

Delegation of Authority

1. Pursuant to Section 421A of the General Provisions Education Act, 20 U.S.C. 1231, I hereby delegate to the Deputy Commissioner, Bureau of Student Financial Assistance, the authority delegated to the Commissioner of Education by the Secretary of Health, Education, and Welfare to administer the Federal Program of Insured Loans to Graduate Students in Health Professions Schools, added to Title VII of the Public Health Service Act by section 401 of Pub. L. 94-484, the Health Professions Educational Assistance Act of 1976.

2. This delegation of authority is effective March 8, 1977.

Dated: March 7, 1977.

WILLIAM F. PIERCE,
Acting Commissioner of Education.

[FR Doc.77-7165 Filed 3-8-77;10:01 am]

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of January 1, 1977)

Quantity	Volume	Price	Amount
———	Title 7—Agriculture (Parts 1120–1199)	$3.20	$———

[A Cumulative checklist of CFR issuances for 1976 appears in the first issue of the Federal Register each month under Title 1]

PLEASE DO NOT DETACH

MAIL ORDER FORM To:

Superintendent of Documents, Government Printing Office, Washington, D.C. 20402

Enclosed find $..... (check, money order, or Supt. of Documents coupons) or charge to my Deposit Account No. ..... Please send me ..... copies of:

PLEASE FILL IN MAILING LABEL BELOW

Name .....

Street address .....

City and State ..... ZIP Code .....

FOR USE OF SUPT. DOCS.

Enclosed.....
To be mailed later.....
Subscription.....
Refund.....
Coupon refund.....
Postage.....
Foreign Handling.....

FOR PROMPT SHIPMENT, PLEASE **PRINT OR TYPE** ADDRESS ON LABEL BELOW, INCLUDING **YOUR ZIP CODE**

U.S. GOVERNMENT PRINTING OFFICE
ASSISTANT PUBLIC PRINTER
(SUPERINTENDENT OF DOCUMENTS)
WASHINGTON, D.C. 20402

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U.S. GOVERNMENT PRINTING OFFICE
375
SPECIAL FOURTH-CLASS RATE
BOOK

Name .....

Street address .....

City and State ..... ZIP Code .....